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JOURNALS

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF UTAH.

TWENTY-THIRD SESSION.

FOR THE YEAR 1878.

J. W. PIKE, PUBLIC PRINTER

SALT LAKE CITY

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1878.

NAMES OF THE MEMBERS AND OFFICERS

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF UTAH.

WITH THE

STANDING COMMITTEES.

TWENTY-THIRD SESSION, 1878.

MEMBERS OF THE COUNCIL:

Washington and Kane Counties,
ERASTUS SNOW.

Iron, Beaver and Piute Counties,
SILAS. S. SMITH

Millard and Juab Counties,
THOS. CALLISTER.

Sanpete and Sevier Counties.
ALBERT K. THURBER.

Utah and Wasatch Counties,
A. O. SMOOT, L E. HARRINGTON.

Salt Lake, Toeele and Summit Counties,
JNO. W. YOUNG, ROBT. T BURTON, ALONZO H. RALEIGH,
WILLIAM W. CLUFF.

Davis and Morgan Counties,
WILLIAM R. SMITH.

Box Elder and Weber Counties,
LORENZO SNOW.

Cache and Rich Counties,
MOSES THATCHER.

OFFICERS OF THE COUNCIL:

HON. LORENZO SNOW, PRESIDENT.

L. JOHN NUTTALL, CHIEF CLERK.

CHAS. W. STAYNER, ASST. CLERK.

GEORGE J. TAYLOR, ENROLLING CLERK.

HYRUM W. TAYLOR, ENGROSSING CLERK

JETER CLINTON, SARGEANT AT ARMS.

WM. BELL, DOORKEEPER.

JUNIUS F. WELLS, MESSENGER.

S. H. B SMITH, WATCHMAN.

HELAMAN PRATT, CHAPLAIN.

STANDING COMMITTEES OF THE COUNCIL:

On Judiciary.—L. E. HARRINGTON, A. O. SMOOT, R. T. BURTON, S. S. SMITH, M. THATCHER, E. SNOW, A. H. RALEIGH.

On Claims and Appropriations.—E. SNOW, W. R. SMITH, T. CALLISTER, A. K. THURBER, A. H. RALEIGH.

On Petitions and Memorials.—A. O. SMOOT. M. THATCHER, W. R. SMITH, A. K. THURBER, W. W. CLUFF.

On Revenue.—R. T. BURTON, E. SNOW, W. W. CLUFF, A. O. SMOOT, A. K. THURBER.

On Elections.—J. W. YOUNG, A. O. SMOOT, A. H. RALEIGH, M. THATCHER, S. S. SMITH.

On Counties.—S. S. SMITH, E. SNOW, T. CALLISTER, W. R. SMITH.

On Roads, Bridges, Ferries and Canyons.—E. SNOW, A. H. RALEIGH, M. THATCHER, S. S. SMITH.

On Engrossing.—M. THATCHER, L. E. HARRINGTON, W. W. CLUFF.

On Education.—M. THATCHER, J. W. YOUNG, A. O. SMOOT, R. T. BURTON, L. E. HARRINGTON.

On Printing.—A. K. THURBER, L. E. HARRINGTON, W. R. SMITH.

On Library.—W. R. SMITH, A. H. RALEIGH, S. S. SMITH.

On Agriculture, Trade and Manufactures.—R. T. BURTON, A. O. SMOOT, T. CALLISTER, W. W. CLUFF.

On Militia.—R. T. BURTON, A. K. THURBER, M. THATCHER, W. W. CLUFF.

On Municipal Corporations and Townsites.—A. O. SMOOT, T. CALLISTER, L. E. HARRINGTON, E. SNOW.

On General Incorporations.—E. SNOW, A. O. SMOOT, L. E HARRINGTON, W. W. CLUFF, R. T. BURTON.

On Public Domain and School Lands.—T. CALLISTER, M. THATCHER, W. R. SMITH, J. W. YOUNG.

On Penitentiary.— A. K. THURBER, A. O. SMOOT, M. THATCHER, W. R. SMITH.

On Indian Affairs.—A. K. THURBER, S. S. SMITH, A. H, RALEIGH, T. CALLISTER.

On Irrigation and Canals.—S. S. SMITH, A. K. THURBER, R. T. BURTON.

On Postal Affairs.—A. H. RALEIGH, T. CALLISTER, M. THATCHER.

On Revision.—L. E. HARRINGTON, A. O. SMOOT, E. SNOW, S. S. SMITH, R. T. BURTON.

On Unfinished Business.—W. W. CLUFF, J. W. YOUNG, A. K. THURBER.

On Mineral Resources.—M. THATCHER, W. W. CLUFF, A. H. RALEIGH, W. R. SMITH.

Railroads.—W. W. CLUFF, A. O. SMOOT, J. W. YOUNG, R. T. BURTON.

MEMBERS OF THE HOUSE:

Beaver and Piute Counties,
JOHN R. MURDOCK.

Box Elder,
JONATHAN C. WRIGHT.

Cache and Rich.
BRIGHAM YOUNG, WM. B. PRESTON.

Davis and Morgan,
WILLARD G. SMITH, JOHN FISHER.

Iron,
FRANCIS WEBSTER

Juab,
JOEL GROVER

Kane and Washington,
JOSEPH BIRCH.

Millard,
F. M. LYMAN.

Salt Lake,
JOHN TAYLOR, ALBERT P. ROCKWOOD, ARCHIBALD GARDNER, ORSON PRATT, SEN., ALBERT CARRINGTON, JAMES SHARP.

Sanpete and Sevier,
CANUTE PETERSEN, FRANKLIN SPENCER.

Summit,
SAMUEL ATWOOD.

Tooele,
GEORGE R. WARREN.

Utah,
WILLIAM B. PACE, JOHN BROWN, JOHN B. MILNER.

Wasatch,
ABRAM HATCH.

Weber,
LORIN FARR, D. H. PEERY.

OFFICERS OF THE HOUSE:

HON. ORSON PRATT, Speaker
ARTHUR STAYNER, Chief Clerk.
GUS M. CLARK, Assistant Clerk.
JOAN M. CAMPBELL, Enrolling Clerk.
DORA PRATT, Engrossing Clerk
JOHN SMITH, Sargeant-at-Arms
EDWARD GRIFFITH, Doorkeeper.
FRANKLIN MERRILL, Messenger.
MILANDO PRATT, Watchman
HENRY G. BOYLE, Chaplain.

STANDING COMMITTEES OF THE HOUSE.

On Judiciary.—LORIN FARR, ALBERT CARRINGTON, JONATHAN C. WRIGHT, JOHN B. MILNER.

On Claims and Appropriations.—ALBERT P. ROCKWOOD, LORIN FARR, FRANCIS M. LYMAN.

On Petitions and Memorials.—JONATHAN C. WRIGHT, JOHN B. MILNER, ABRAM HATCH.

On Revenue.—FRANCIS M. LYMAN, D. H. PEERY, JAS. SHARP.

On Counties.—WM. B. PACE, BRIGHAM YOUNG, ABRAM HATCH, JOHN R. MURDOCK, CANUTE PETERSEN.

On Elections.—WILLARD G. SMITH, JOHN R. MURDOCK, ALBERT P. ROCKWOOD.

On Roads, Bridges, Ferries and Canyons.—JOEL GROVER, JOSEPH BIRCH, FRANCIS WEBSTER, ARCHIBALD GARDNER, GEORGE R. WARREN.

On Engrossing and Enrolling.—WM. B. PRESTON, JOHN B. MILNER, FRANCIS M. LYMAN.

On Education.—JOHN B. MILNER, JOHN TAYLOR, BRIGHAM YOUNG, FRANCIS M. LYMAN.

On Printing.—JOHN R. MURDOCK, JOEL GROVER, WM. B. PRESTON.

On Library.—WM. B. PACE, ABRAM HATCH, JOSEPH BIRCH, SAMUEL ATWOOD.

On Agriculture, Trade and Manufactures.—JOHN BROWN, JOHN FISHER, ARCHIBALD GARDNER, CANUTE PETERSEN, SAMUEL ATWOOD.

On Militia.—BRIGHAM YOUNG, WM. B. PACE. ABRAM HATCH.

On Penitentiary.—WM. B. PACE, JOHN BROWN, D. H. PEERY.

On Indian Affairs.—JOHN R. MURDOCK, JOHN FISHER, CANUTE PETERSEN, JOSEPH BIRCH, FRANCIS WEBSTER, FRANKLIN SPENCER.

On Irrigation and Canals.—JOEL GROVER, ARCHIBALD GARDNER, JOHN FISHER, FRANKLIN SPENCER, FRANCIS WEBSTER.

On Postal Affairs.—WILLARD G. SMITH, GEORGE R. WARREN, ALBERT CARRINGTON, FRANKLIN SPENCER, JOHN FISHER.

On Revision.—LORIN FARR, JAMES SHARP, ALBERT CARRINGTON, WM. B. PRESTON.

On Unfinished Business.—JOHN BROWN, WILLARD G. SMITH, SAMUEL ATWOOD, JOHN FISHER.

On Mineral Resources.—WM. B. PRESTON, JOHN TAYLOR, D. H. PEERY, GEORGE R. WARREN, JOS. BIRCH.

On Railroads.—BRIGHAM YOUNG, JOHN TAYLOR. LORIN FARR, JAMES SHARP.

On Municipal Corporations and Townsites.—ALBERT P. ROCKWOOD, WILLARD G. SMITH, WM. B. PACE.

On Private Incorporations and Telegraph Companies.—JONATHAN C. WRIGHT, BRIGHAM YOUNG, D. H. PEERY.

On Public Domain and School Lands.—D. H. PEERY, WM. B. PRESTON, JONATHAN C. WRIGHT.

JOURNALS

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF UTAH.

TWENTY-THIRD SESSION.

MONDAY, JANUARY 14, 1878.

COUNCIL.

Council Chamber,
City Hall, Salt Lake City, Jan. 14, 1878.

The members elect of the Council of the Legislative Assembly of the Territory of Utah, met pursuant to law, in the Council Chamber of the City Hall.

Council was called to order by Chas. W. Stayner, Esq., Assistant Clerk of last session of the Legislative Council, and,

On motion of Councilor Lorenzo Snow, Councilor L. E. Harrington was elected President *pro tem.*

On motion of Councilor E. Snow, Chas. W. Stayner was elected Chief Clerk *pro tem.*

On motion of Councilor Smoot, L. John Nuttall was elected Assistant Clerk *pro tem.*

On motion of Councilor Smoot, Jeter Clinton was elected Sergeant-at-Arms *pro tem.*

Councilor Smoot moved that a committee of three be appointed on credentials of the members elect.

The President appointed Councilors E. Snow, Alonzo H. Raleigh and Wm. R. Smith said committee, who, after examination of the credentials, reported as follows:

Hon. L. E. Harrington, President *pro tem.*,
and Legislative Council:

Gentlemen—Your committee on Credentials beg to report that they have examined the certificates of the members elect, and find the following gentlemen entitled to seats in the Legislative Council for the session of 1878:

Erastus Snow, Washington and Kane counties.
Silas S. Smith, Iron, Beaver and Piute counties.
Thomas Callister, Millard and Juab counties.
Albert K. Thurber, Sanpete and Seveir counties.
Abram O. Smoot, Utah and Wasatch counties.
Leonard E. Harrington, Utah and Wasatch counties.
John W. Young, Salt Lake, Tooele and Summit counties.
Robert T. Burton, Salt Lake, Tooele and Summit counties.
Alonzo H. Raleigh, Salt Lake, Tooele and Summit counties.
William W. Cluff, Salt Lake, Tooele and Summit counties.
William R. Smith, Davis and Morgan counties.
Lorenzo Snow, Weber and Box Elder counties.
Moses Thatcher, Cache and Rich counties.

Respectfully submitted,

ERASTUS SNOW,
ALONZO H. RALEIGH,
WILLIAM R. SMITH,

Committee on Credentials.

On motion of Councilor L. Snow, the report was accepted and the committee discharged.

The roll was then called.

All present except Councilors Young and Thatcher.

On motion of Councilor Smoot, a committee of one was appointed to invite the Hon. Secretary to administer the customary oath to the members elect.

Councilor Smoot was appointed said committee.

The Hon. Levi P. Luckey, Secretary of the Territory, having arrived, then administered the customary oath to the members elect.

Councilor Burton moved that a committee of three be appointed to report nominations for a permanent organization, whereupon Councilors Burton, S. S. Smith and W. W. Cluff were appointed said committee.

The committee then retired, and having returned, presented the following report:

Hon. L. E. Harrington, President *pro tem.*:

Your committee on permanent organization respectfully report the following named gentlemen as officers of the Council:

President, Lorenzo Snow.
Chief Clerk, L. John Nuttall.
Assistant Clerk, Chas. W. Stayner.
Enrolling Clerk, George J. Taylor.
Engrossing Clerk, Hyrum W. Taylor.
Sergeant-at-arms, Jeter Clinton.
Doorkeeper, William Bell.
Messenger, Junius F. Wells.
Watchman, S. H. B. Smith.
Chaplain, Heleman Pratt.

Respectfully,
R. T. BURTON, chairman

On motion of Councilor Thurber, the report was accepted and the committee discharged.

On motion of Councilor L. Snow, the Council proceeded to a permanent organization.

On motion of Councilor Smoot, Hon. Lorenzo Snow was elected President of the Council.

On motion of Councilor Thurber, L. John Nuttall was elected Chief Clerk.

On motion of Councilor S. S. Smith, Charles W. Stayner was elected Assistant Clerk.

On motion of Councilor Smoot, George J. Taylor was elected Enrolling Clerk.

On motion of Councilor W. R. Smith, Hyrum W. Taylor was elected Engrossing Clerk.

On motion of Councilor Callister, Dr. Jeter Clinton was elected Sergeant-at-Arms.

On motion of Councilor W. W. Cluff, William Bell was elected Doorkeeper.

On motion of Councilor W. R. Smith, Junius F. Wells was elected Messenger.

On motion of Councilor Alonzo H. Raleigh, Samuel H. B. Smith was elected Watchman.

On motion of Councilor W. W. Cluff, Heleman Pratt was elected Chaplain.

The Hon. Secretary then administered the oath to those officers who were present.

The following communication was received and read:

Legislative Hall,
City Hall, Jan 14, 1878.

To the President and Members of the Council
of the Legislative Assembly of the Territory of Utah:

Gentlemen—The House has organized with the officers as follows:

Hon Orson Pratt, Speaker.
Arthur Stayner, Chief Clerk.
Gus. M. Clarke, Assistant Clerk.
Joan M. Campbell, Enrolling Clerk.
Dora Pratt, Engrossing Clerk.
John Smith, Sergeant-at-Arms.
Franklin Merrill, Messenger.
Edward Griffith, Doorkeeper.
Milando Pratt, Watchman.
Henry G. Boyle, Chaplain.

Very respectfully,
ORSON PRATT, Sen,
Speaker.

On motion of Councilor E. Snow, the House was notified of the permanent organization of the Council.

On motion of Councilor Burton, a committee was appointed to act with a like committee from the House in waiting on his Excellency the Governor to inform him that the Assembly was organized and ready to receive any communication he might wish to make.

Councilors Burton and Callister were appointed said committee.

The following communication was received and read:

Legislative Hall,
City Hall, Salt Lake City, Jan. 14, 1878.

Hon. Lorenzo Snow, President;
and Members of the Council:

Gentlemen—The Hons. Abram Hatch and John B. Milner have been appointed a committee to act in conjunction with a committee of the Council to wait upon the Governor and inform him that the Assembly is organized and await any communication His Excellency may have to make.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Councilor Smoot presented the following motion:

Mr. President—I move that the Sergeant-at-Arms be instructed to hoist the National Flag on the flagstaff, City Hall, during the sittings of the Legislative Assembly.

A. O. SMOOT.

Carried.

The following communication was received and read.

Representatives' Hall,
City Hall, Salt Lake City, Jan. 14, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council.

Gentlemen—The following motion has passed the House:

I move that the Sergeant-at-Arms of each House (the Council concurring) be instructed to furnish to the Members and Officers of both Houses during the session, with such newspapers as they may select, not exceeding three copies of the Dailies, or their equivalent in Semi-Weeklies or Weeklies; and that they be further instructed to supply the Members and Officers with suitable pen-knives, and, during the session, with necessary postage stamps.

LORIN FARR.

Respetfully,
ORSON PRATT, Sen.,
Speaker.

Oh motion of Councilor Thurber, the above action of the House was concurred in.

Councilor Burton, chairman of thc Council committee appointed to wait on the Governor, reported that His Excellency would be prepared to deliver his messege to the Assembly to-morrow at 2 p.m.

The following communication was received and read:

Representatives' Hall,
City Hall, Salt Lake City, Jan., 1878,
Hon. Lorenzo Snow, President, and
Members of the Council.

Gentlemen—The following motion has passed the House:

I move that the Council be requested to meet the House in Joint Session, in Representatives' Hall, at 1.30 p.m., to-morrow.

(Signed) W. B. PACE.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

On motion of Councilor Harrington, the Council concurred in the action of the House to meet in Joint Session at 1.30 p.m., to-morrow.

Councilor Thurber presented the following motion:

I move that a committee of two be appointed in behalf of the Council, to act with a like committee from

the House, to make inquiries in relation to public printing, and report their recommendations to the Joint Session

A. K. THURBER.

Carried.

The President appointed Councilors Thurber and E. Snow said committee.

Councilor Harrington moved that the Auditor of Public Accounts be requested by the Sergeant-at-Arms to furnish the members of the Council, and the Chief Clerk, and Assistant Clerk of the Council, with compiled Laws of Utah and the printed Journals of last session.

Carried.

The following communication was received and read;

Representatives' Hall,
City Hall, Salt Lake City, Jan., 1878.

Hon. Lorenzo Snow, President, and
Members of the Council.

Gentlemen—The House has appointed Hons. John R. Murdock, Joel Grover and Wm. B. Preston, a committee to act with Council committee on Printing, to report at the Joint Session to-morrow.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Minutes read and accepted.

On motion of Councilor Harrington, Council adjourned till to-morrow at 1 o'clock p.m.

Benediction.

HOUSE.

Representatives' Hall,
City Hall, Salt Lake City, Jan. 14th, 1878, 2 p.m.

The members of the House of Representatives of the Legislative Assembly of the Territory of Utah, convened in the City Hall, Salt Lake City, pursuant to law.

House called to order by Arthur Stayner, Chief Clerk of the House at the previous session.

On motion of Mr. O. Pratt, Mr. A. P. Rockwood was elected Speaker *pro tem.*

On motion of Mr. Lorin Farr, Arthur Stayner was elected Chief Clerk *pro tem.*

On motion of Mr. F. M. Lyman, E. Griffiths was elected Doorkeeper *pro tem.*

A list of names of the members elect, certified to by the Hon. Levi P. Luckey, Territorial Secretary, was read,

Washington and Kane Counties, Joseph Birch.

Iron County, Francis Webster.

Beaver and Piute Counties, John R. Murdock.

Millard County, F. M. Lyman.

Juab County, Joel Grover.

Sanpete and Seveir Counties, Canute Petersen, Franklin Spencer.

Utah County, Wm. B. Pace, John Brown, John B. Milner.

Wasatch County, Abram Hatch.

Summit County, Samuel F. Atwood.

Salt Lake County, John Taylor, A. P. Rockwood, Archibald Gardner, Orson Pratt, Albert Carrington, James Sharp.

Tooole County, G. R. Warren.

Davis and Morgan Counties, Willard G. Smith, John Fisher.

Weber County, Lorin Farr, David H. Peery.

Box Elder County, Jonathan C. Wright.

Cache and Rich Counties, Brigham Young, Jr., Wm. B. Preston.

On motion of Mr. Lorin Farr, the House proceeded to permanent organization.

On motion of Mr. John Taylor, Orson Pratt, Senr., was elected Speaker.

On motion of Mr. F. M. Lyman, Arthur Stayner was elected Chief Clerk.

On motion of Mr. Canute Petersen, Gus M. Clarke, was elected Assistant Clerk.

On motion of Mr. A. Hatch, Joan M. Campbell was elected Enrolling Clerk.

On motion of Mr. J. B. Milner, Dora Pratt was elected Engrossing Clerk.

On motion of Mr. Wm. B. Pace, John Smith was eleced Sergeant-at-Arms.

On motion of Mr. A. P. Rockwood, Edward Griffiths was elected Doorkeeper,

On motion of Mr. W. B. Preston, Franklin Merrill was elected Messenger.

On motion of Mr. Lorin Farr, Milando Pratt was elected Watchman.

On motion of Mr. J. R. Murdock, Henry G. Boyle was elected Chaplain.

The Hon. Levi P. Luckey, Secretary of the Territory, administered the oath of office to the members and officers of the House.

The following motion was then made by Mr. F. M. Lyman:

I move that a committee be appointed by the Speaker to act in conjunction with a like committee of the Council, to wait upon his Excellency, the Governor and inform him that the Assembly is organized and ready to receive any communication he may wish to make.

F. M. LYMAN.

Carried.

The Speaker appointed Messrs. Hatch and Milner said committee.

The following motion was made by Mr. Hatch:

I move that the Speaker of the House instruct the Sergeant-at-Arms to call upon the Territorial Auditor for sufficient copies of the Revised Statutes of Utah to furnish one copy each to the Members of this Branch of the present Legislative Assembly.

A. HATCH.

Salt Lake City, Jan. 14, 1878.

Carried.

The following motion was made by Mr. Preston:

I move that the Sergeant at-Arms be instructed to call upon the Auditor of Public Accounts, for copies of

last Session's Journals, and furnish one to each member of this House.

WM. B. PRESTON

Carried:

Prayer was then offered by the Chaplain.

The following communication from the Council was received and read.

Council Chamber,
City Hall, Salt Lake City Jan. 14, 1878.

To the Hon. Speaker, and
Members of the House of Representatives:

Gentlemen—You are hereby respectfully notified that the Council has entered into a permanent organization, and elected the following officers:

Hon. Lorenzo Snow, President.
L. John Nuttall, Chief Clerk.
Chas. W. Stayner, Assistant Clerk.
George J. Taylor, Enrolling Clerk.
Hyrum J. Taylor, Engrossing Clerk.
Jeter Clinton, Sergeant-at-Arms.
William Bell, Doorkeeper.
Junius F. Wells, Messenger.
S. H. B. Smith, Watchman.
Helaman Pratt, Chaplain.

Respectfully,

LORENZO SNOW,
President.

The following motion was made by Mr. Farr, and carried:

I move that the Sergeant-at-Arms of each House (the Council concurring) be instructed to furnish to the members and officers of both Houses, during this session, with such newspapers as they may select, not exceeding three copies of the Dailies or their equivalent in Semi-Weeklies or Weeklies, and that they be further instructed to supply the members and officers with suitable pen knives, and, during the session, with the necessary postage stamps.

LORIN FARR.

The following message from the Council, was received and read:

Council Chamber,
City Hall, Jan. 14, 1878.

To the Hon. Orson Pratt, Sen., Speaker,
and Membrs of the House of Representatives:

Gentlemen—The Council has appointed Councilors Burton and Callister a committee to act with a like committee from the House, in waiting on His Excellency the Governor, to inform him that the Legislative Assembly is organized and ready to receive any communication he may have to make.

Very respectfully,
LORENZO SNOW,
President.

The following motion was made by Mr. Preston:

I move that the Sergeant-at-Arms be instructed to provide suitable accommodations for the reporters who represent the press.

WM. B. PRESTON.

Carried.

Mr. Hatch, of committee appointed to wait on the Governor, reported that His Excellency would meet with the Assembly to-morrow at 2 p.m. and deliver his message.

The following motion was then made by Mr. Pace, and carried:

I move that the Council be requested to meet the House in Joint Session in Representatives' Hall, at 1.30 p.m. to-morrow.

W. B. PACE.

The following communication was received from the Council, and read:

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council concurs in your action o

the motion of Hon. L. Farr, respecting papers, knives and stamps.

Very respectfully,
LORENZO SNOW,
President.

Mr. Webster made the following motion:

I move that the Sergeant-at-Arms be instructed to hire a box at the Post Office, and that a list of names of the Members and Officers, who so desire, be furnished to the Postmaster, and that the Sergeant-at-Arms call for the mail matter, and deliver it in the House.

FRANCIS WEBSTER.

Carried.

The following message was received from the Council, and read.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The council have appointed Councilors Thurber and Snow a committee to act with a like committee of the House, to make inquiries in relation to public printing, and report their recommendations to the Joint Session.

Respectfully,
LORENZO SNOW,
President.

On motion of Mr. Pace, the action of the Council was concurred in and the Speaker appointed Messrs. Murdock, Grover and Preston, committee on the part of the House:

The following message was received from the Council, and read:

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council concurs in your motion to meet in Joint Session at 1.30 p.m. to-morrow.

Respectfully,
LORENZO SNOW,
President.

Minutes read and accepted.

On motion of Mr. Milner, House adjourned till 1 p.m. to-morrow.

Prayer by Chaplain.

TUESDAY, JANUARY 15, 1878.

COUNCIL.

Council Chamber,
City Hall, Salt Lake City, Jan. 15, 1878. 1 p.m.

Council met pursuant to adjournment.
Roll called. Quorum present.
Prayer by Elder Coltrin.
At 1.30 the Council wen into Joint Session.

SEE JOINT SESSION MINUTES.

On the return of Council from Joint Session, the President appointed the following members as standing committees:

STANDING COMMITTEES OF THE COUNCIL:

On Judiciary.—L. E. HARRINGTON, A. O. SMOOT, R. T. BURTON, S. S. SMITH, M. THATCHER, E. SNOW, A. H. RALEIGH.

On Claims and Appropriations.—E. SNOW, W. R. SMITH, T. CALLISTER, A. K. THURBER, A. H. RALEIGH.

On Petitions and Memorials.—A. O. SMOOT. M. THATCHER, W. R. SMITH, A. K. THURBER, W. W. CLUFF.

On Revenue.—R. T. BURTON, E. SNOW, W. W. CLUFF, A. O. SMOOT, A. K. THURBER.

On Elections.—J. W. YOUNG, A. O. SMOOT, A. H. RALEIGH, M. THATCHER, S. S. SMITH.

On Counties.—S. S. SMITH, E. SNOW, T. CALLISTER, W. R. SMITH.

On Roads, Bridges, Ferries and Canyons.—E. SNOW, A. H. RALEIGH, M. THATCHER, S. S. SMITH.

On Engrossing.—M. THATCHER, L. E. HARRINGTON, W. W. CLUFF.

On Education.—M. THATCHER, J. W. YOUNG, A. O. SMOOT, R. T. BURTON, L. E. HARRINGTON.

On Printing.—A. K. THURBER, L. E. HARRINGTON, W. R. SMITH.

On Library.—W. R. SMITH, A. H. RALEIGH, S. S. SMITH.

On Agriculture, Trade and Manufactures.—R. T. BURTON, A. O. SMOOT, T. CALLISTER, W. W. CLUFF.

On Militia.—R. T. BURTON, A. K. THURBER, M. THATCHER, W. W. CLUFF.

On Municipal Corporations and Townsites.—A. O. SMOOT, T. CALLISTER, L. E. HARRINGTON, E. SNOW.

On General Incorporations.—E. SNOW, A. O. SMOOT, L. E. HARRINGTON, W. W. CLUFF, R. T. BURTON.

On Public Domain and School Lands.—T. CALLISTER, M. THATCHER, W. R. SMITH, J. W. YOUNG.

On Penitentiary.—A. K. THURBER, A. O. SMOOT, M. THATCHER, W. R. SMITH.

On Indian Affairs.—A. K. THURBER, S. S. SMITH, A. H. RALEIGH, T. CALLISTER.

On Irrigation and Canals.—S. S. SMITH, A. K. THURBER, R. T. BURTON.

On Postal Affairs.—A. H. RALEIGH, T. CALLISTER, M. THATCHER.

On Revision.—L. E. HARRINGTON, A. O. SMOOT, E. SNOW, S. S. SMITH, R. T. BURTON.

On Unfinished Business.—W. W. CLUFF, J. W. YOUNG, A. K. THURBER.

On Mineral Resources.—M. THATCHER, W. W. CLUFF, A. H. RALEIGH, W. R. SMITH.

Railroads.—W. W. CLUFF, A. O. SMOOT, J. W. YOUNG, R. T. BURTON.

On motion of Councilor Smoot, 2 o'clock p.m. was fixed as the regular hour for the meetings of the Council.

Minutes read and accepted.

On motion of Councilor Burton, Council adjourned.

Benediction.

HOUSE.

Representatives' Hall,
City Hall, Salt Lake City, Jan. 15, 1878. 1 p.m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

At 1.30 p.m. the House went into Joint Session with the Council.

SEE JOINT SESSION MINUTES.

After the dissolution of the Joint Session, the House resumed its session.

The following Standing Committees were appointed by the Speaker, and the list read before the House:

STANDING COMMITTEES OF THE HOUSE.

On Judiciary.—LORIN FARR, ALBERT CARRINGTON, JONATHAN C. WRIGHT, JOHN B. MILNER.

On Claims and Appropriations.—ALBERT P. ROCKWOOD, LORIN FARR, FRANCIS M. LYMAN.

On Petitions and Memorials.—JONATHAN C. WRIGHT JOHN B. MILNER, ABRAM HATCH.

On Revenue—FRANCIS M. LYMAN, D. H. PEERY, JAS. SHARP.

On Counties.—WM. B. PACE, BRIGHAM YOUNG, ABRAM HATCH, JOHN R. MURDOCK, CANUTE PETERSEN.

On Elections. — WILLARD G. SMITH, JOHN R. MURDOCK, ALBERT P. ROCKWOOD.

On Roads, Bridges, Ferries and Canyons.—JOEL GROVER, JOSEPH BIRCH, FRANCIS WEBSTER, ARCHIBALD GARDNER, GEORGE R. WARREN.

On Engrossing and Enrolling.—WM. B. PRESTON, JOHN B. MILNER, FRANCIS M. LYMAN.

On Education. — JOHN B. MILNER, JOHN TAYLOR, BRIGHAM YOUNG, FRANCIS M. LYMAN.

On Printing. — JOHN R. MURDOCK, JOEL GROVER, WM. B. PRESTON.

On Library.—WM. B. PACE, ABRAM HATCH, JOSEPH BIRCH, SAMUEL ATWOOD.

On Agriculture, Trade and Manufactures.—JOHN BROWN, JOHN FISHER, ARCHIBALD GARDNER, CANUTE PETERSEN, SAMUEL ATWOOD.

On Militia.—BRIGHAM YOUNG, WM. B. PACE, ABRAM HATCH.

On Penitentiary.—WM. B. PACE, JOHN BROWN, D. H. PEERY.

On Indian Affairs.—JOHN R. MURDOCK, JOHN FISHER, CANUTE PETERSEN, JOSEPH BIRCH, FRANCIS WEBSTER, FRANKLIN SPENCER

On Irrigation and Canals.—JOEL GROVER, ARCHIBALD GARDNER, JOHN FISHER, FRANKLIN SPENCER, FRANCIS WEBSTER.

On Postal Affairs.—WILLARD G. SMITH, GEORGE R. WARREN, ALBERT CARRINGTON, FRANKLIN SPENCER, JOHN FISHER.

On Revision.—LORIN FARR, JAMES SHARP, ALBERT CARRINGTON, WM B. PRESTON.

On Unfinished Business.—JOHN BROWN, WILLARD G. SMITH, SAMUEL ATWOOD, JOHN FISHER.

On Mineral Resources.—WM. B. PRESTON, JOHN TAYLOR, D. H. PEERY, GEORGE R. WARREN, JOS. BIRCH.

On Railroads.—BRIGHAM YOUNG, JOHN TAYLOR, LORIN FARR, JAMES SHARP.

On Municipal Corporations and Town Sites.—ALBERT P. ROCKWOOD, WILLARD G. SMITH, WM. B. PACE.

On Private Incorporations and Telegraph Companies.—JONATHAN C. WRIGHT, BRIGHAM YOUNG, D. H. PEERY.

On Public Domain and School Lands.—D. H. PEERY, WM. B. PRESTON, JONATHAN C. WRIGHT.

Mr. Fisher moved the following:

I move (the Council concurring) that there be printed, in pamphlet form, 100 copies of the names of the Members of the Council and House of Representatives, designating the districts they severally represent, together with the names of the officers and Standing Committees of each branch of the Legislature, and that the Members of this House be each furnished with a copy of the same.

JOHN FISHER.

Representatives' Hall,
Salt Lake City, Jan. 15, 1878.

Carried.

Minutes called for and read.

Mr. Milner moved that the House adjourn till 2 p.m. to morrow.

Carried.

Benediction by the Chaplain.

JOINT SESSION.

Representatives' Hall,
City Hall, Salt Lake City, Jan. 15, 1878, 1.30 p.m.

Pursuant to previous agreement, the Assembly met in Joint Session.

The President of the Council presiding.

The Chief Clerk of the Council called the roll of the Council.

Quorum present.

Roll of the House called by the Chief Clerk of the House.

Quorum present.

The President announced that the Joint Session was now ready for business.

His Excellency Governor Emery having arrived, accompanied by the committee appointed by both houses to wait upon him, then presented his Message, which he read and submitted with accompanying documents.

Mr. Wright moved that 2,000 copies of the Governor's Message, with accompanying documents, be printed in pamphlet form, for the use of the Assembly and otherwise.

Carried.

Mr. Preston, on behalf of the committee appointed to make inquiries in relation to public printing, stated that the committee were not prepared to report, and asked permission to make their report to the separate houses.

On motion of Councilor Burton, the request of the committee was granted.

Minutes read and accepted.

On motion of Councilor Cluff, the Joint Session dis-

GOVERNOR'S MESSAGE

TO THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF UTAH.

EXECUTIVE DEPARTMENT,

SALT LAKE CITY, UTAH TERRITORY, JAN. 14th, 1878.

GENTLEMEN OF THE COUNCIL

AND HOUSE OF REPRESENTATIVES:

Since the meeting of the last Legislature, the affairs of the Territory have continued, in most respects, satisfactory. Though certain enterprises have been retarded to some degree, from various causes, nevertheless unmistakable progress has been made in the settling up of the country and in the development of its resources. The general health of the people has been good, and peace and order have prevailed throughout the Territory.

Agricultural crops have been abundant, and the husbandmen have been amply rewarded for their labor. No causes of distress from poverty have existed where an honest effort has been made to obtain a livelihood.

The laboring classes have been furnished with steady employment, and well remunerated for their services, and in this respect they have been more fortunate than others of their fellow-men in many portions of our country.

The mines in their further development have increased in positive value, and where energy and skill have been dis-

played in working them, promise large returns to their owners.

Many which, but two years since, were regarded as mere prospects of doubtful worth, have grown into well-developed mines of great value.

The facilities for milling and smelting have kept pace with the product of the mines. Several extensive establishments have been erected for the reduction of ores, all of which, I believe, are in successful operation, and afford additional employment for a large number of men.

Already attention is being directed to the vast coal fields of the San Pete country, where are to be found immense veins of bituminous coal of superior quality for coking and ordinary uses. The day appears not distant when these mines will furnish fuel for the smelting of our ores at a cost probably of one-fourth the money now paid for Pennsylvania coke. This event will mark a new era, giving fresh impetus to our mining and smelting enterprises. Although mining and its consequent industries are as yet in their infancy, they nevertheless furnish a large number of citizens with employment and a ready market for home products; beside, they are the money-producing interests of the people, and it is reasonable to expect that within a short time they will be sources of great wealth to Utah.

When we reflect upon the material resources of the Territory—rich in agriculture, gold, silver, lead, copper, zinc, sulphur, salt, iron and coal, with a climate unsurpassed by any other in America—we can realize the necessity for correct legislation and such as will protect the humblest citizen in his rights and guard the interests of all legitimate enterprises.

FINANCES.

The reports of the Territorial Auditor and Treasurer for the two years ending December 31st, 1877, have been received, and I herewith submit them for your information. These reports exhibit no great indebtedness against the Territory which it cannot liquidate, provided the money due from the Counties is paid into the Treasury; however, these outstanding accounts and Auditor's warrants present a con-

dition of affairs relative to the finances, which cannot be regarded otherwise than unsatisfactory. Evidently some plan should be devised, whereby the Territory can be relieved of its embarrassment in this particular.

COMMON SCHOOLS.

A revision of the law relating to schools, so that it shall be more in accord with the progress and spirit of the times, and more acceptable to the entire people, is needed, and I trust will receive your attention.

Under its present provisions every religious denomination in Utah deems it necessary to furnish schools for its children, while but one of these denominations receives any assistance from the Public Treasury. In this city alone more than thirty thousand dollars are annually expended for private tuition, which is no inconsiderable tax, and by many hard to bear. This amount of money should furnish schooling for nearly the whole number of children in the city; whereas, under the present arrangement, it procures instruction for only about one-fifth of the entire number of the school age.

It would be wisdom to divide this city into—say, six school districts, with a high school as near the centre as may be convenient and to furnish each district with buildings devoted exclusively to school purposes, and to provide all of them with teachers selected for their moral worth and qualifications *as* teachers, regardless of their religious bias. A graded system of instruction in keeping with a place of this size, should then be inaugurated, which will meet the requirements of the children who are to be educated. Such a system, when once established, would give the greatest satisfaction to all who are interested, and I am confident could be maintained for less money than is now yearly expended for schools. Any system of public instruction which will be beneficial to this city, can be adopted by all the cities and towns in the Territory with like good results. No State or Territory in the Union is better calculated to maintain graded schools than Utah, as nearly her entire population reside within corporate limits and towns. An appropriation should be made by the Legislature amply suffi-

cient for educational purposes, and the money should be raised by a direct tax levied upon the taxable property of the Territory, in the same manner as funds are raised for other Territorial expenses.

The law now in force leaves the districts to decide for themselves whether or not they will raise by taxation the money necessary to maintain schools. This provision virtually leaves the question of schools or no schools to the respective districts, instead of to the Legislature, where it properly belongs. Public schools should be under no sectarian influence. Morality, integrity and the other virtues should be inculcated in all institutions of learning, but religious teaching should be left to the parents, the Sabbath schools and to the churches. If a child's religious training under these influences will not stand the jostle of public schools, it will be of little practical use to him in after life.

IRRIGATION.

While I realize the difficulties of an attempt to regulate the water in an arid country so as to give individuals their exact proportion, and while it can hardly be expected the matter will ever be so adjusted as to give entire satisfaction, yet I am confident a system can be devised which will come nearer to it than the present one.

The statutes make provision for irrigation districts, the election of officers, etc., but fail to define the rights of individuals, or give them any permanent privileges. The law is so meagre in its provisions that a supply of water depends more on the good-will of neighbors than upon any rights which can be enforced. Neither will the people of the Territory have any sufficient guaranty against serious difficulties until their individual interests to the water are more specifically defined by law. We should bear in mind that in the absence of Territorial legislation on this subject the common law prevails and is wholly inapplicable to countries which have to depend upon the water courses for a sufficient supply of water, not only for ordinary uses, but for the purpose of irrigating the soil.

A well considered law would be of great service, especial-

ly to agriculturists, and prevent litigation, which must grow out of the present system. Legal title to water is quite as essential in this Territory as legal title to land, and as soon as acquired it should be a part of, and go with, the realty and made a matter of record in the same manner as real estate.

SECRET BALLOT.

I desire to call attention to the law regulating elections, and request that it be so amended as to relieve it of an objectionable feature known as the "marked ballot." That portion of the statute relating to the registration of votes as a precaution against fraud, is acceptable to the people and is considered amply sufficient as a safeguard, without the accompanying provision requiring the name of the elector to be written in the poll-books, and opposite to it the number of his vote. This is regarded as espionage, enabling the officers of election, if so disposed, to tell how and for whom each person votes. I also suggest the propriety of providing for two judges of election in every precinct instead of one, and make it the duty of the County Court to appoint the officers, and to select one from each of the political parties, thereby giving to each a friend at the polls. Also, that every ballot be sealed up in an envelope before being deposited; the envelopes to be of uniform color and size, and to be furnished to judges of election by the County Courts for free distribution at the places of holding the elections.

This, it seems, would afford to every citizen entitled to vote, an opportunity to do so in accordance with his own wishes. The right of suffrage allowed to citizens should carry with it the right to exercise that suffrage in a manner satisfactory to himself, without the possibility of being called to account for his choice of candidates, or of experiencing unpleasant consequences. The duty of the Legislature to "guard the purity of the ballot box," is unquestioned, but it would be an abuse of power to so entangle it as to thwart the wishes of the people; otherwise suffrage, which has been given as a high constitutional privilege wherewith to protect their rights

and opinions, recoils on its possessors and subverts the very ends and objects it was intended to accomplish.

COMPILED LAWS.

The Legislature, at its last session, created a commission to compile the statutes and laws then in force and those enacted during that session. The bill provided that when the books should be published they should be placed in the hands of the Auditor of Public Accounts, to be by him disposed of in the following manner: To the Governor, Secretary and Judges of the Supreme Court, one copy each; to the members of the Legislature and to the Territorial officers one copy each, and two hundred copies to be retained for the use of members of future Legislatures, etc., but made no provision for a free distribution of a certain number outside of the Territory to persons and libraries entitled to them.

The Legislature appropriated six thousand dollars to meet the expenses of publication, to which Congress subsequently added four thousand dollars more, to be drawn and paid over subject to the approval of the Governor.

It was deemed advisable, Congress having contributed so liberally in aid of the work, to set aside a certain number of the books for the use of the President of the United States, members of his Cabinet, heads of Bureaus, the various committees of the Senate and House of Representatives, and for the use of State and Territorial libraries. I will add that this Territory is under obligations to nearly all of the States for law reports and other public documents, and in return for these contributions they have requested to be furnished with copies of our statutes, legislative documents and such other publications as we may have for the use of their libraries, which they consider incomplete without them.

To supply this demand the commission placed in the hands of the Secretary of the Territory two hundred copies of the compiled laws, with the understanding that the matter should be laid before the present Legislature for approval and for a further contribution of one hundred copies to the same object.

In complying with these requests we only liquidate a debt which has long been due, and which should have been provided for in the bill relating to the compilation of the laws.

BAIL.

Under the present practice, parties who are bound over for trial not unfrequently escape, and are not to be found when their cases are ready for trial. Although bail is thereby forfeited, yet the prosecuting officer is obliged to wait until the succeeding term of court before he can bring an action on the bond, get judgment and collect the money This defective bail system is a serious drawback to an efficient and prompt execution of the law; beside, it is no uncommon thing that, by the time judgment is rendered, no property can be found out of which to satisfy the execution.

The law in respect to bailors should be amended, and their liabilities made more specific and positive. A liquidated bond should be required by persons who offer themselves as surety for others, and a bond on which the officers of the court can proceed at once to collect the money, if forfeited. Such bonds should be a lien on the real estate mentioned therein, and the courts be empowered to issue process for the collection of the sum agreed upon, without further legal proceedings.

CHATTEL MORTGAGES.

A requirement of law is needed which will make it obligatory on mortgagees of personal property to record their titles in the county where the property is situated. A provision of this kind would afford ample notice to third parties of the transaction, and allow the mortgageor to retain possession of the property so long as he complies with the conditions of his agreement, provided the arrangement is satisfactory to the mortgagee. Under present enactment loans made on this class of securities are considered insecure, unless the pledge is transferred to and remains in the possession of the pledgee. The law so modified as to contain the requirement suggested would be of service to persons who deal in this kind of security and equally advantageous to mortgageor and mortgagee.

JUSTICES OF THE PEACE.

Since the adjournment of the Legislature several vacancies have occurred in the office of justice of the peace. These offices being elective, and there being no authority for calling a special election to fill them, the vacancies remain unfilled and are awaiting your action. As there has been a general misunderstanding throughout the Territory respecting the law which governs in these cases, I cite the provisions of the United States Statutes relating thereto:

Section 1856 provides, "*Justices of the Peace* and general officers of the militia in the several Territories *shall be elected by the people* in such manner as the respective Legislatures may provide by law."

Sec. 1857.—"All township, district, and county officers, *except justices of the peace* and general officers of the militia, shall be appointed or elected in such manner as may be provided by the Governor and Legislative Assembly of each Territory."

Sec. 1858.—"In any of the Territories, whenever a vacancy happens from resignation or death, during the recess of the Legislative Council, in any office which, under the Organic Act of any Territory, is to be filled by appointment of the Governor by and with the advice and consent of the Council, the Governor shall fill each vacancy, by granting a commission, which shall expire at the end of the next session of the Legislative council."

Although the "Organic Act" provides that the Governor shall commission all officers who shall be appointed under the laws of this Territory, and the Territorial Legislature has made provision for filling vacancies in the office of justice of the peace by appointment of the County Court, yet both the Legislative and Organic Acts contravene the acts of Congress, which are of more recent date and control in such cases.

STOCK RAISING.

Immense areas of country in Utah are adapted to grazing, and probably can never be put to any use which will be so profitable as stock raising. The mountains, the hills and unoccupied valleys should be utilized for this purpose, and would be a source of considerable revenue to the people. Though this business is carried on to some extent at the present time, it is nevertheless attended with so much risk and with a loss of so many animals that the enterprise is becoming more hazardous every year. The Legislature can remedy one of the principal difficulties connected with this pursuit by providing more effective methods for the capture and conviction of the men who drive out of Utah annually large numbers of stolen cattle and horses. The appointment of one efficient, vigilant officer, for each county, but with jurisdiction throughout the Territory, whose duty it shall be to pursue, arrest and bring to trial guilty parties, would undoubtedly put an end to annoyances of this kind.

The measure would probably be more effective if it should contain a provision whereby, if any such officer or officers aid, abet or in any way compromise with persons suspected or guilty of the offence stated, or shall make use of his office for any other purpose than that for which it was created, such officer or officers shall be punished by fine and for a term in the Penitentiary.

PENITENTIARY.

The Penitentiary, for the confinement of persons in the Territory, is placed by law under the care and control of the United States Marshal, and he is by the same enactment made warden, subject only to such rules and regulations as are prescribed by the Attorney General of the United States. This is the law and authority paramount to Territorial enactment on this subject. The compiled laws of Utah provide, by an act approved January 20th, 1860, for a board of directors for the Penitentiary, and a subsequent act, approved January 18th, 1861, provides regulations for governing the warden and directors. These Territorial acts are in conflict

with congressional legislation and provide a different system of government for the Penitentiary from that established by Congress, and should be repealed. Such balances as stand to the credit of the Penitentiary fund by virtue of former appropriations, should be transferred and made available for expenses under its present management.

The expenses of a Territorial Warden have been paid for several years, though no such officer has been known to the law.

Another enactment provides that, "any person convicted by a court of competent jurisdiction, in a Territory, for a violation of the laws thereof, and sentenced to imprisonment, may, at the cost of such Territory, on such terms and conditions as may be prescribed by the Attorney General, be received, subsisted and employed in the Penitentiary during the term of his imprisonment."

There are now confined in that institution thirty-nine convicts, and the number has averaged twenty-seven for the past year. Up to date no provision has been made by the Territory for the expense of maintaining and guarding these convicts I therefore recommend a suitable appropriation for this purpose.

COLLECTION OF DEBTS.

It is reasonable to suppose that the more easily and certainly debts can be collected by law, the greater will be the facilities for effecting loans and obtaining credit. Money will be put in circulation more freely, and the benefit derived from such a state of affairs will immediately be experienced by the mercantile and laboring classes. As the risks attending the collection of money loaned are increased, in the same proportion will the rates of interest increase.

The attachment law of the Territory affords very inadequate security to creditors, and as a consequence money is rarely loaned, except on bond and mortgage, or on the pledge of collateral securities.

It is deemed advisable to amend the attachment law so as to afford the necessary remedies in all cases of contract for

the direct payment of money, when the debt is not paid at maturity. This is the law in California, Nevada and other States, and while it is but just to creditors, it will be also a benefit to those who require credit in their business, by giving them greater facilities for obtaining it at reduced rates of interest.

EXECUTIONS.

Sec. 209, Compiled Laws of Utah, provides, that the party in whose favor judgment is given, may at any time within *three years* after the entry thereof, issue a writ of execution for its enforcement.

Sec. 14 of the same law reads: "Actions other than those for the recovery of real property can only be commenced as follows: within *five years;* an action upon a judgment or decree of any court of the United States or any of the Territories within the United States." It would appear that an action can be brought on a judgment at any time within five years, while Sec. 209, which makes provision for the issuing of executions, says they can only issue at any time within three years after the entry, thereby allowing a judgment creditor five years within which to sue on his judgment, but only three years in which to obtain an execution to levy on property, thereby compelling him, at the end of that time, to commence a suit on his judgment and to litigate his case again in order to protect his interests. Furthermore, the lien which attaches to real estate by virtue of a judgment properly docketed by the clerk of the court, is vacated at the end of two years. If the the word *three* in Sec. 209 and the word *two* in Sec. 204 were respectively changed to the word *five* the statutes would then harmonize, and be more in keeping with substantial justice.

FEES OF JURORS.

The statutes of the Territory make no provision for the payment of petit jurors except in criminal cases. This is unjust to jurors and a source of embarrassment to the Courts. Jurors are required to attend court and they should

be paid for their services no matter whether attending on civil or criminal business.

To remunerate the Territory for paying jurors in civil cases, I would suggest there be a jury fee taxed as costs in every civil case submitted to a jury. The Marshal or other officer collecting such fees should be required to pay them into the Territorial Treasury. A practice similar to this has been adopted in some of the States and, I am informed, gives entire satisfaction.

An appropriation amply sufficient to pay all jury fees should be made by the Legislature. As mattersnow stand Territorial scrip can be bought on the streets at from forty to sixty cents on the dollar, so that the juror receives when attending on criminal cases only about one-half the pay allowed by law.

The plaintiff in any civil action or proceeding should be held responsible to the officers for their fees. If judgment is recovered against the defendant, these fees are taxed as costs of suit and the plaintiff is thereby remunerated, provided the defendant is able to respond, but if not, the plaintiff should lose the fees rather than the officers of the court, who have earned them at his instance. Such a law would make parties more cautious in bringing suits and in compelling their services when there are no funds or property in the possession of the defendant which can be reached by an execution. To provide for such contingencies I would therefore recommend that the costs of suit be taxed to and paid by the plaintiff whether he prevails in his action or not. If he does prevail, then he will have an execution for the amount of his judgment and costs against the defendant.

SILK.

The silk culture is attracting some attention in the Territory, and it has now been demonstrated by actual experiment that our climate and soil are admirably adapted to the mulberry tree and the production of silk. It is believed this will be a profitable industry. It requires but small capital to engage in it, and it is especially suited to persons of

limited means who desire to make safe investments and are satisfied with reasonable returns for their labor. The silk which has been produced so far is of good quality and the manufactured fabrics are of an excellent and substantial character. If any legislation is deemed necessary to foster this branch of home industry, I hope you will not fail to enact it.

MARRIAGE.

Provision should be made whereby the marriage ceremony may be performed by persons authorized by law to do so. The statutes are ominously silent on this important subject. It is usual elsewhere to confer such authority upon magistrates, executive officers and clergymen of all religious denominations. I should be gratified to see a law of that kind prevail in this Territory, with a requirement that all marriages shall be made a matter of public record, and that parties who perform these ceremonies shall furnish the recorder with a certificate containing the names and ages of all persons united by them in marriage.

CRIMINAL PRACTICE ACT.

Previous to the meeting of the last Legislative Assembly, the members of the Bar and other leading citizens of this city, composed of both parties, held a meeting called for the purpose of appointing committees who should draft such laws, to be presented to the members of the Legislature, as the imperative necessity seemed to demand in this Territory. Among others, a committee consisting of two leading attorneys was appointed to prepare a penal code and a criminal practice act. They attended faithfully to the duties assigned them, adopting for their guide, so far as practicable, the California Code. I called the attention of the Assembly to these measures when it convened, and urged their passage. The recommendation was adopted so far as to pass a penal code, which was modeled after the California system and which defined numerous offenses and affixed to them appropriate penalties but, for some reason unexplained, the Legislature failed to enact a code of pro-

cedure for the courts in criminal cases, except such as are held by justices of the peace.

While our courts are still left to the guidance of the common law methods, which are uncertain and often contradictory, and the mode of procedure in criminal cases varies with the opinions of the judges who preside over them, nothing is settled and determined, nor can it be under the present provisions of the law. The rule laid down by one judge is changed by his successor, and persons accused of crime are tried by no well-settled, or clearly defined principles of law. This constantly varying practice is not only unjust to the courts but prejudicial to the rights of the accused who is on trial. This loose system of criminal procedure is wrong in every respect and should receive your immediate attention. In cases where parties are convicted of murder in the first degree, a doubt exists whether the judge has authority under the statutes to pronounce sentence upon them, and whether, by law, there is even any punishment. The difficulty arises from the fact that, while the Legislature adopted that portion of the California code which enacts the penalty of death in cases of murder, it failed to adopt the other portion of the code which provides a method for executing the sentence. There is now in the Territory a case of murder involving this very difficulty, which has gone to our Supreme Court on appeal, and which will probably be carried to the Supreme Court of the United States in order to settle this mooted question.

DIVORCE.

In my message two years ago I referred to the law of divorce, specified some of its objectionable features, and requested to have it revised but, as the matter was not acted upon at that time, I present it again, trusting you will not

adjourn without adopting a well-considered bill and such as will throw around marriage all the necessary safeguards. The practice in vogue in our Probate Courts is to exercise jurisdiction in divorce suits over parties whether they reside within or without the Territory; and in numerous instances these cases have been decided without giving the defendants the usual notice, thereby depriving them of an opportunity to be heard, however meritorious may have been their defence. I cannot present the case now more pointedly than I have formerly, and will call your attention to what was then said: "By an Act of Congress our Probate Courts have jurisdiction over suits for divorce, but Congress intended, no doubt, such jurisdiction should be exercised with caution and carefully guarded by Territorial statutes. The law is defective and should be modified. The laws of Utah allow divorce to parties not residing in the Territory, by showing to the *satisfaction* of the *Court* the complainant *wishes* to become a resident. To prevent an abuse of the law I recommend the statutes be so amended as to require of the complainant in any case for divorce an *actual bona fide* residence of one year, prior to the commencement of suit, in the county or district in which legal proceedings are instituted." The law is so loose in its provisions as to invite an illicit practice, which has recently been carried on to an alarming extent and brought disgrace alike upon the Territory and those engaged in procuring divorces. The sooner you act in the premises the sooner Utah will be relieved of the odium of these unsavory proceedings.

COMMISSIONERS.

For a series of years after the settlement of this inland country, the people were of one faith, and whatever their differences, they were adjusted by a council of the

church, consequently few laws were necessary and those of the simplest character. But when railroads were completed through the Territory, then another class of people came into the country, attracted here by the rich mineral deposits and engaged in mining and its kindred pursuits. The advent of this element, with its new enterprises necessitated further legislation, and that of a different kind. Since that period the meetings of the Legislature have been biennial and limited to a certain number of days, so that the statutes have necessarily undergone revision at every session to meet the exigencies of the hour, until they contain incongruities which it appears impossible to correct during the time prescribed. To remedy these difficulties it has been suggested, and I fully concur in the suggestion, that a commission eminently qualified for its duties should be appointed to codify the laws and eliminate from them whatever is in conflict with Congressional enactment. They should also be instructed to draft such bills as they may deem advisable for the public good and submit their work to the next Assembly for its approval. Such an arrangement would enable its members to devote a large portion of their time, during the session, to the consideration of necessary measures rather than to the preparation of bills, as is usually the case, and also enable them to bring up the work of legislation to date and to present to their constituents a well-digested system of law. Such commissions are not unusual in the States, and are created for the purpose of simplifying the statutes and presenting a better system of jurisprudence than it is possible to provide without such assistance. If such a commission be appointed, it should consist of men learned in the law and fully competent to discharge the onerous duties which they are called upon to perform.

MOUNTAIN MEADOW MASSACRE.

It is now twenty years since an atrocious crime was committed in the southwestern portion of this Territory, known as the Mountain Meadow massacre. Up to the present time but one of the parties engaged in that horrible affair has been punished. Other persons have been indicted for the same offence, but they have evaded the officers of the law so successfully since their indictment that their arrest, trial and conviction are now quite improbable, unless the Legislature interests itself in the matter and offers a suitable reward for their apprehension. It is believed friends are in communication with these men and warn them of the approach of officers, and such vigilance is maintained that though frequent attempts have been made to arrest them they have been foiled by these persons. This is a matter which you should inquire into, and I suggest a committee be appointed early in the session with all necessary authority to investigate the causes operating against the arrest and trial of these indicted parties. I urge this matter in the interest of justice and good government, that the guilty may be punished and the innocent vindicated. I also urge it in the interest of every innocent person living here at the time of the terrible massacre.

The responsibility of that melancholy transaction should rest upon the parties engaged in it, and not upon the entire population residing in the Territory when it occurred.

POLYGAMY.

The majority of the people of this Territory belong to a religious sect known as the "Latter-day Saints." I do not intend to discuss the merits or demerits of this new religion, but to refer to one of its distinctive features, polygamy. This

system of marriage has continued here for thirty years, and for fifteen years in violation of law. In all the States and Territories except Utah it is considered a grave offense and is severely punished. Polygamy is no less a crime here than in other portions of our country, and yet the law remains a dead letter upon the statutes. I regard this system of marriage an evil undermining the peace of society brought within its influence, and carrying with it dark shadows which rest like a blight upon the offspring of these illegal relations and the women who are maintained in them. The number of polygamous wives in Utah is large—how large I have not the means of knowing—yet it is safe to say they number thousands. Such a condition of things is an anomaly nowhere else to be found in a Christian country. This, gentlemen, is a serious question, and should be met openly and with candor. It is for you to decide whether from all the surroundings you will take action in the premises and provide against the continuance of these criminal relations, or ignore the consequences of this state of affairs. Congress has reserved to itself the right to approve or disapprove of any territorial legislation, and also to enact such laws as may appear necessary to the welfare of the people. Yet, notwithstanding these reserved powers, it is more than probable that Congress would acquiesce in any measures inaugurated by yourselves looking to a permanent and equitable settlement of this question. The Territories are the wards of the National Government, created by Congress, and whatever privileges are enjoyed within them, are extended by that body, all of which Congress has the power to modify or revoke. The policy of the Government has been to allow citizens of the Territories to legislate for themselves, and no doubt it will continue in that policy, provided they enact judicious laws, such as are in accord with the

General Government and in harmony with those of the States, but not otherwise. Polygamous marriages are so frequent and so numerous throughout this Territory, and the sentiment of a majority of the people so much in their favor, that the officers of the law, though charged with the the duty of enforcing the law, find themselves unable to do so without further and more stringent legislation on the subject.

This legislative body has sufficient jurisdiction over the matter to provide such enactments as the circumstances require; but if it fails to act in the premises, then it is the duty of Congress to take cognizance of the fact and to provide such legislation as will meet this case, or abolish the law which makes polygamy a crime. Polygamy and the union of church and state are stumbling-blocks in the way of a settled condition of affairs in this Territory, and are alike detrimental to the interests of the dominant church and the entire people.

Any religious body in this country holding two such tenets as I have just referred to, which are so antagonistic to American ideas and republican government, will be the object of distrust in other respects, though blameless or even praiseworthy.

CONCLUSION.

The attention of the members of the last Assembly was directed to some of the measures to which I now refer, but as they falled to be adopted, I again present them, trusting the progress of events has so far modified public opinion respecting them, that favorable action will now be taken. To complete the work necessary to be done will severely tax your energies and probably your patience, nevertheless if you succeed in the undertaking your labors will not be in vain, and to the consciousness of having done a public

service, will be added the approval of a grateful constituency.

Permit me in conclusion, Gentlemen, to express the hope that the same generous spirit which characterized the deliberations of the last Session, will prevail during this, and that the result of your labors will be satisfactory to the people and conducive to the permanent welfare of Utah.

GEO. W. EMERY,
Governor.

AUDITOR'S REPORT.

TO HIS EXCELLENCY, G. W. EMERY,
GOVERNOR OF THE TERRITORY OF UTAH.

DEAR SIR:—Herewith please find my Biennial Report as Auditor of Public Accounts for the Territory of Utah, in which will be seen the value of property assessed, and the tax arising thereon, for the years 1876–7; also amount of disbursements within the same period, and the purpose for which Warrants on the Treasury have been issued.

FIRST.

Showing the total valuation of property assessed in the several Counties for the year 1876, and the revenue arising thereon, at the rate of one-fourth of one per cent.

COUNTIES.	Total Value of Property Assessed.	Total Tax Territorial.
Salt Lake	$9,340,280	$23,350 70
Weber	2,285,016	5,712 54
Utah	2,069,320	5,173 30
Box Elder	1,903,344	4,758 36
Cache	1,146,992	2,867 48
Tooele	1,047,360	2,618 40
Davis	824,624	2,061 56
Summit	813,168	2,032 92
Sanpete	634,996	1,587 49
Washington	560,680	1,401 70
Iron	443,136	1,107 84
Morgan	429,844	1,074 61
Juab	406,728	1,016 82
Kane	362,440	906 10
Millard	325,940	814 85
Beaver	316,360	790 90
Sevier	295,832	739 58
Wasatch	172,880	432 20
Rich	152,252	380 63
Piute	76,872	192 18
Total,	$23,608,064	$59,020 16

SECOND.

Showing a total valuation of the property assessed in the several Counties, in the year 1877, and the revenue arising thereon, at the rate of one-fourth of one per cent.

COUNTIES.	Total Value of Property Assessed.	Total Tax Territorial.
Salt Lake	$8,171,820	$20,429 55
Weber	2,105,428	5,263 57
Utah	2,083 904	5,209 76
Box Elder	1,827,580	4,568 95
Cache	1,205,367	3 013 39
Tooele	1,060,160	2,650 40
Summit	868,536	2,171 34
Davis	812,132	2,030 33
Sanpete	664,072	1,660 18
Washington	605,572	1,513 93
Juab	459,296	1,148 24
Iron	446,056	1,115 14
Morgan	428.928	1,072 32
Kane	343,944	859 86
Beaver	410,320	1,025 80
Millard	300,816	752 04
Sevier	287,528	718 82
Wasatch	183,760	459 40
Rich	168,940	422 35
Piute	119,512	298 75
Total,	$22,553,660	$56,384 15

Which gives a total gross revenue for the two years, the sum of $115,404 31-100, and allowing 10 per cent. for cost of collecting, remittances and losses from various causes, leaves a nett revenue of $103,863 88-100, for the two years 1876 and 1877.

THIRD.

Showing amount of Auditor's Warrants drawn and issued on the Territorial Treasury during the years 1876 and 1877, and the purpose for which said Warrants were issued.

LEGISLATIVE EXPENSES.

Appropriation, Feb. 18, 1876, John Smith for supplies for House for Representatives	$174 95	
Appropriation, Feb. 18, 1876, J. D. T. McAllister, for supplies for Council	77 15	
Appropriation, Feb. 18, 1876, Z. C. M. I., stationery, lights, etc	689 00	
Appropriation, Feb. 18, 1876, Salt Lake Herald, for papers, etc	35 59	
Appropriation, Feb. 18, 1876, extra clerk hire, chaplain's services, etc., $500 to each house,	1,000 00	
Appropriation, Feb. 18, 1876, Salt Lake City Corporation, for rent, etc	1,200 00	
Appropriation, Feb. 18, 1876, Z Show, for services on Judiciary Committee	134 50	
Appropriation, Feb. 18, 1876, Le Grande Young, for services on Judiciary Committee	100 00	
Appropriation, Feb. 18, 1876, Estate R. L. Campbell, for balance due him	250 00	$3,661 19

INCIDENTAL EXPENSES.

Appropriation, Feb. 18, 1876, relief of J. D. T. McAllister	857 00	
Appropriation, Feb. 18, 1876, Jesse W. Fox, for rent of office, fuel, etc	240 00	
Appropriation, Feb. 18, 1876, relief of Wm. H. Lee, of Tooele	253 18	
Appropriation, Feb. 18, 1876, relief of Sanford Bingham	273 33	
Appropriation, Feb. 18, 1876, relief of T. R. G. Welch	58 60	1,682 11

EXPENSE OF TERRITORIAL PRISONERS.

On orders of directors, balance of appropriation, Feb. 20, 1874	2,500 00	
On orders of directors, on appropriation, Feb. 18, 1876	400 00	2,900 00

PUBLIC PRINTING.

Paid D. O. Calder, appropriation, Feb. 18, 1876.....		1,510 14

D. A. & M. SOCIETY.

Balance of appropriation, Feb. 18, 1874.....	1,028 48	
Appropriation, Feb. 18, 1876, paid in full.....	4,000 00	
Appropriation, Feb. 18, 1876, to import salmon eggs.....	200 00	
On account of Bureau of Statistics, appointed Feb. 20, 1874.....	187 20	5,415 68

ROADS AND BRIDGES.

Appropriation for road between Randolph and Lake Town.....	500 00	
Appropriation for Blacksmith's Fork Cañon road..	600 00	
Appropriation for Circleville and Panguich road..	1,000 00	
Appropriation for Harrisburg and Bellevue road...	512 25	
Appropriation for Rio Virgin bridge	2,592 20	2,592 20

SUPERINTENDENT METEOROLOGICAL OBSERVATIONS.

Paid to E. L. T. Harrison, balance of salary from Jan. 1 to Feb 1876.....		25 00

TERRITORIAL LIBRARY.

Paid W. C. Staines, 2 years' salary as Librarian...	800 00	
Rent of Library rooms for the years 1874-5.....	600 00	1,400 00

TERRITORIAL TREASURER.

Appropriation, Feb. 18, 1876 Jas. Jack, 2 years' salary.....		800 00

AUDITOR OF PUBLIC ACCOUNTS.

Appropriation, Feb. 18, 1876, for extra services 1874-5.....	800 00	
Appropriation, Feb. 18, 1876, 2 years' salary, 1876-7	2,000 00	
Appropriation, Feb. 18, 1876, 2 years' rent, fuel, stationery, etc.....	400 00	
Appropriation, Feb. 18, 1876, on printing marks and brands.....	174 40	
Appropriation, Feb. 18, 1876, balance due on safe...	300 00	3,674 40

SUPERINTENDENT DISTRICT SCHOOLS.

Appropriation, Feb. 18, 1876, paid Supt. O. H. Riggs, for services 1874-5.....	1,783 66	

Appropriation, Feb. 18, 1876, to reimburse expenses of trip east	500 00	
Appropriation, Feb. 18, 1876, Supt. Riggs' salary for 1876	1,500 00	
Appropriation, Feb. 18, 1876, blanks, stationery, etc., for 1876	250 00	
Appropriation, Feb. 18, 1876, salary to June 30, 1877	750 00	
Appropriation, Feb. 18, 1876, on account of blanks, stationery, etc., for 1877	125 00	4,903 66
Appropriation, Feb. 18, 1876, Supt. John Taylor, on account of salary, 1877	495 00	
Appropriation, Feb. 18, 1876, blanks, stationery, etc.	125 00	620

SCHOOL FUND ACCOUNT.

Balance of appropriation, Feb. 20, 1874, as per appendant statement	8,533	
Deseret University, $5,000 each year, 1876-77	10,000	
County Superintendents, for 1876, as per appendant statement	20,000	38,533

LAWS OF UTAH.

Paid committee on account of appropriation, Feb. 1876		4,764 50

UNITED STATES JUDGES.

Two years' salary, Judge Emerson, First District	2,000	
Two years' salary, Judge Boreman, Second District	2,000	
Two years' salary, Judge Schaeffer, Third District.	2,000	6,000

COURT EXPENSES.

Paid appropriation, Feb. 18, 1876, as per appendant statement	22,000
Total Auditor's Warrants issued 1876 7	102,999 13
To which add warrants in circulation Jan. 1, 1876	33,382 27
	136 381 40
Warrants redeemed by the Treasurer as per his report	94,325 33
Leaving unredeemed warrants in circulation, this date	42,056 07
To which add appropriation to District Schools, 1877	20,000
Balance due Compilation Committee	1,235 50
Balance due Superintendent of Schools	255
Shows a Territorial indebtedness, to date	$63,546 57

Total Territorial indebtedness, brought forward.....	$63,546 57
Deduct amount due from Counties, as per statement hereunto annexed.....	42,030 77
Leaves a Territorial indebtedness of	$21,515 80

Statement of the disbursement of $8,533 School Fund, reported unpaid in my report of Jan. 1, 1876.

Jan. 5, 1876,	to Sanpete	County.....	War. No.	4,393 to 4,422	.....	1,360 00
5,	to Sevier	"	"	4,224	.....	313 00
10,	to Wasatch	"	"	4,433 to 4,434	.....	314 00
17,	to Kane	"	"	4,435	.....	367 00
17,	to Washington	"	"	4,445 to 4,456	.....	440 00
20,	to Salt Lake	"	"	4,458	.....	3,172 00
24,	to Davis	"	"	4,459 to 4,460	.....	676 00
Feb. 2,	to Rich	"	"	4 462	.....	116 00
Mar. 16,	to Millard	"	"	4 599	.....	462 00
Sep. 30,	to Weber	"	"	5,740	.....	1,313 00
						$8,533 00

Statement of the disbursement of $20,000 School Fund during the year 1876

Jan. 24, 1876,	to Salt Lake	County.....	War. No.	6,129 to 6,169	.....	4,288 00
25,	to Juab	"	"	6,170	.....	433 00
26,	to Cache	"	"	6,170	.....	1,888 00
27,	to Morgan	"	"	6,172	.....	332 00
29,	to Sevier	"	"	6,173	.....	563 00
29,	to Millard	"	"	6,174	.....	656 00
29,	to Tooele	"	"	6,184	.....	505 00
31,	to Summit	"	"	6,186	.....	602 00
Feb, 2,	to Beaver	"	"	6,187 to 6,214	.....	389 00
3,	to Iron	"	"	6,215 to 6,244	.....	374 00
3,	to Utah	"	"	6,245 to 6,250	.....	2,614 00
8,	to Wasatch	"	"	6,251 to 6,252	.....	499 00
10,	to Davis	"	"	6,254 to 6,255	.....	878 00
12,	to Sanpete	"	"	6,256 to 6,282	.....	1,830 00
14,	to Rich	"	"	6,283 to 6,286	.....	173 00
14,	to Box Elder	"	"	6,287	.....	934 00
16,	to Washington	.....	"	6,288 to 6,299	.....	616
17,	to Kane	"	"	6,300 to 6,319	.....	498
Mar. 10,	to Weber	"	"	6,331	.....	1,928
						$20,000 00

Statement of expenses of United States District Courts, paid by Auditor's Warrants, during the year 1876.

FIRST DISTRICT, PROVO.

		Total Roll.	Unpaid.	Paid.
Abstract 1	Petit Jurors, Feb term, 1876	$329 80	$120 20	$209 60
2	" " May " "	99 20		99 20
3	Grand " " 15 "	317 60	20 00	297 60
4	Petit " " " "	449 60	8 20	441 40
5	Witnesses " " "	343 40	106 80	236 60
6	" " " "	452 80	53 60	399 20
7	Petit jurors June 26 "	115 20	7 20	108 20
8	Witnesses " " "	25 60	1 70	23 90
9	Grand jurors, Aug. 21 "	134 80	55 40	79 40
10	Witnesses " " "	244 20	94 60	149 60
	Total abstracts	$2,512 20		
	Total unpaid		$467 70	
	Total paid			$2,044 50

SECOND DISTRICT, BEAVER.

Abstract 11	Grand jurors, May term, 1876.....	$190 00	$14 00	$176 00
12	Petit " " " "	336 00	66 00	270 00
13	Witnesses, " " "	565 90	41 00	524 90
14	Grand jurors Sept. " "	380 60	170 60	210 00
15	Petit " " " "	2,677 20	1,460 40	1,216 80
16	Witnesses " " "	2,749 40	1,745 20	1,004 20
	Total abstracts.....	$6,899 10		
	Total unpaid		$3,497 20	
	Total paid.....			$3,401 90

THIRD DISTRICT, 1876.

Abstract 17	Grand Jurors, Feb. term, 1876.....	$226 60		$226 60
18	Petit " " " "	747 00	$68 00	679 00
19	Witnesses Apl. " "	115 60	21 10	94 50
20	" " " "	137 30	25 00	112 30
21	Petit jurors " " "	76 80		76 80
22	Witnesses " " "	135 00	13 90	121 10
23	" " " "	47 90		47 90
24	" " " "	96 20		96 20
25	" " " "	103 00		103 00
26	" " " "	105 50	17 60	87 90
27	" " " "	89 00	9 50	79 50
28	" (1 P jur)" " "	111 00		111 00
29	" " " "	38 00		38 00
30	" " " "	66 50	12 00	54 50
31	" " " "	36 00	11 40	24 60
32	Petit jurors " " "	588 00		588 00
33	Grand jurors " " "	358 80		358 80
34	Witnesses " " "	97 40	25 20	72 20
35	" " " "	44 10	13 50	30 60
36	Grand jurors " " "	904 20		904 20
37	Witnesses " " "	288 40	169 40	119 00
		$4,412 30	$386 60	$4,025 70

Brought forward	$4,412 30	$386 60	$4,025 70
The following were omitted on abstracts:			
C. A. Madsen..... Petit juror, 1st district	25 00		25 00
N. M. Peterson..... "	33 00		33 00
M. Hirchman..... Petit juror, 3d district	44 00		44 00
I. N. Goodall..... "	19 00		19 00
Ed. Gilman..... Witness, 3d district	4 50		4 50
S Husbands, jr..... "	8 10		8 10
W. Husbands, jr..... "	5 10		5 10
S. Husbands, ser..... "	6 60		6 60
E. Gilman..... "	10 50		10 50
B M. Smedley..... "	10 00		10 00
Jacob Smith..... "	19 00		19 00
J. M. Thorp..... "	10 00		10 00
John Pape..... "	10 00		10 00
James Breslin..... "	10 00		10 00
N. Tanner, jr..... "	8 90		8 90
John Horspool..... "	8 90		8 90
E. Waid..... "	1 50		1 50
W. B. Welles..... "	1 50		1 50
W. E. Johnson..... "	7 50		7 50
Mrs. S. Grose..... "	19 50		19 50
M. Florida..... "	1 50		1 50
M. Florida..... "	7 70		7 70
Mrs. Woolsey..... "	1 50		1 50
S. W. Taylor..... "	4 70		4 70
William Brown..... "	8 90		8 90
W. L. Pickard..... "	1 50		1 50
W. L. Pickard..... "	1 50		1 50
Karga et Cole..... "	1 50		1 50
Total abstracts and vouchers	$4,703 70		
Total unpaid		$3,860 60	
Total Paid			$4,317 10

Statement of Clerk's services, meals for jurors, etc.

FIRST DISTRICT.

Bill C. W. Emerson, for clerk's services, Feb. 1876	$93 30	
Do do May, 1876	91 75	
Bill Mrs. M. Miller, for boarding jurors, do	110 00	
		$295 05

SECOND DISTRICT.

Bill Mrs. Wilson, for boarding jurors, May 25, 1876	$84 00	
C. Van Behr, for use of team and fuel, May 31, 1876	8 00	
C. W. Wilkins, for clerk's services, June 19, 1876	64 75	
Mrs. E. Wilson, meals for jurors, October 9, 1876	112 00	
		268 75

THIRD DISTRICT.

Bill A. Podlech, for meals for jurors, March 12, 1876	$28 00	
W. H. Betts, clerk's services and fees, April 10, 1876	334 20	
F. Auerbach & Bro, blankets for jurors April 17, 1876	60 00	
Aug. Podlech, for boarding jurors, April 23, 1876	121 50	
H. A. Gould, services as clerk Sup. Ct. June 12, 1876	10 00	
W. P. McBride, clerk's services and fees, June 25, 1876	118 55	
		672 25
Total		$1,236 05

RECAPITULATION.

First District.—Amount paid as per abstracts.....		2,044 50	
Jurors Madsen and Petersen, omitted on abstracts.....		58 00	
Clerk's fees, meals for jurors, etc...		295 05	2,397 55
Second District—Amount paid as per abstracts.....		3,401 90	
Clerk's fees, meals for jurors, etc.....		268 75	3,670 65
Third District—Amount paid as per abstracts	4,317 10		
Less Madsen and Peterson to First District.....	58 00	4,259 10	
Clerk's fees, meals, etc., for jurors...		672 25	4,931 35
Total.....			$10,999 55

Statement of expenses of United States District Courts, paid by Auditor's Warrants, during the year 1877.

FIRST DISTRICT, PROVO.

		Total Roll.	Unpaid.	Paid.
Abstract 1	Grand Jurors, Feb. term, 1877	$351 00	$48 40	$302 60
2	Petit " " 19 "	404 00	18 40	385 60
3	Witnesses " " "	427 70		427 70
4	" " " "	173 60		173 00
5	" " " "	137 60	24 60	113 00
6	" Sept. 16 "	1,299 30	1,238 80	60 50
6½	" " 26 "	224 60	154 60	70 00
	Total abstracts.....	$3,017 20		
	Total unpaid.....		$1,484 80	
	Total paid.....			$1,532 40

SECOND DISTRICT, BEAVER.

Abstract 7	Grand jurors, Mar. term, 1877.....	$146 00		$146 00
8	" " July 25 "	150 00	10 00	140 00
9	Petit " Mar. 20 "	344 60	39 40	305 20
9½	" " July 25 "	325 60	31 00	294 60
10	" " Aug. 9 "	775 00		775 00
11	" " Sept. 25 "	508 00	24 00	484 00
12	Witnesses Mar. 9 "	211 90		211 90
13	" Aug. " "	385 00	570 00	379 30
14	" Sep. 25 "	571 20	110 00	461 20
	Total abstracts	$3,417 30		
	Total unpaid.....		$220 10	
	Total paid			$3,197 20

THIRD DISTRICT.

Abstract 15	Witnesses Feb. term, 1877.....	$190 50	69 80	$120 70
16	" Mar. 9 "	63 50	26 50	37 00
17	" " " "	155 70	26 00	129 70
18	" " " "	156 70	67 40	89 30
19	" " " "	77 20	57 50	19 70
20	" " " "	179 20	120 60	58 60
21	" " 19 "	174 60	21 50	153 10
22	" " 27 "	39 30	7 10	32 20
23	Grand jurors, Mar. 31 "	760 70	48 00	712 70
24	Petit " " " "	536 00		536 00

25	Witnesses	Apl.	13,	1877	6 00	3 00	3 00
26	"	"	27	"	499 60	77 80	421 80
27	Petit jurors	"	"	"	185 40	61 40	124 00
28	" "	June	5	"	413 60	32 00	381 60
29	" "	"	"	"	114 00	15 00	99 00
30	Witnesses	"	"	" .	150 00	14 00	136 00
31	"	"	"	"	181 15	42 15	139 00
32	Petit jurors	"	28	"	24 00		24 00
33	" "	July	21	"	16 20		16 20
34	Grand jurors	"	27	"	68 60		68 60
35	Witnesses	"	23	"	142 50	71 10	71 40
36	"	"	"	"	109 55	61 55	48 00
37	"	"	28	"	175 20	65 20	110 00
38	"	"	"	"	204 10	34 30	169 80
39	Grand jurors	Aug.	4	"	411 60		411 60
40	Witnesses	"	"	"	218 80	46 80	172 00
41	"	"	"	"	259 50	7 00	252 50
42	Grand jurors	"	31	"	32 00		32 00
43	Witnesses	Sep.	11	"	185 40	94 30	91 10
44	"	"	"	"	104 20		104 20
45	"	"	"	"	54 00	12 50	41 50
46	Grand jurors	"	26	"	973 40	743 15	230 25
47	Witnesses	"	28	"	198 60	128 80	69 80
48	"	June	5	"	26 30	10 90	15 40
49	"	"	"	"	26 00	10 90	15 10
	Total abstracts.....				$7,113 10		
	Total unpaid					$1,976 25	
	Total Paid.....						$5,136 75

Statement of Clerk's services, meals for jurors, etc.

SECOND DISTRICT.

Bill, J. R. Wilkins, clerk's services, March 19, 1877.....	163 65	
Bill, J. R. Wilkins, clerk's services, August 9, 1877	339 90	
Bill, J. R. Wilkins, clerk's services, September 3, 1877.....	75 00	
Bill, J. R. Wilkins, clerk's services, September 10, 1877...	71 90	
Bill, J. R. Wilkins, clerk's services, September 17, 1877...	31 70	682 15

THIRD DISTRICT.

Bill, C. S. Hill, clerk's services, April 13, 1877.....	265 30	
Bill, C. S Hill, clerk's services, May 26, 1877.....	137 65	
Bill, Augustus Podlech, meals for jurors, April 25, 1877...	49 00	451 95
		$1,134 10

RECAPITULATION.

First District.—Amount paid as per abstracts.....		1,532 40
Second District—Amount paid as per abstracts	3,197 20	
Clerk's fees.....	682 15	3,879 35
Third District.—Amount paid as per abstracts.....	5,136 75	
Clerk's fees and meals for jurors.....	451 95	5,588 70
		$11,000 45

The following unexpended balances of appropriation stand on the books of this office to the credit of the several accounts named, to-wit:

INCIDENTAL.

Appropriation, Feb. 18, 1870, to W. I. Appleby, never called for	$22 00

LEGISLATIVE EXPENSES.

Overcharge in bill of Salt Lake Daily Times	1 20

ROADS AND BRIDGES.

Unexpended appropriation Salt Lake City and Black Rock road	38 86
" " Harrisburg and Bellevue road	128 85
" " Rio Virgin bridge	103 80

D. A. & M. SOCIETY.

Unexpended appropriation on account of Bureau of Statistics	112 80

EXPENSE OF PRISONERS.

Unexpended appropriation of February 18, 1876	2,600 00

LIBRARY ACCOUNT.

Appropriation, for rent, Feb. 20, 1874, supposed to be an error	575 00

DISTRICT COURTS.

Appropriation, Feb. 20, 1874, to purchase safes for use of Courts, to be disbursed by the Territorial Marshal, which office has since been abolished	3,000 00

MARKS AND BRANDS.

Unexpended of appropriation for printing, Feb. 18, 1876	25 60
Total	$6,608 11

The following stated sums are due on Territorial taxes, from the respective Counties named, on the 31st December, 1877, and the total may be relied upon as revenue, as probably all, or nearly all, will yet be collected and paid into the Territorial Treasury, to-wit:

Salt Lake County	$32,640 36
Weber "	1,201 88
Box Elder "	71 36
Cache "	2,282 69
Tooele "	637 55
Davis "	666 61
Sanpete "	242 85
Washington "	447 57
Juab "	1,095 41
Iron "	755 00
Morgan "	295 94
Kane "	483 82
Beaver "	207 61
Millard "	847 35
Sevier "	107 35
Rich "	47 41
	$42,030 77

The appropriation of $11,000 "for compensation of Clerks of the District Courts, and Jurors and Witnessess in Criminal Cases, arising under the laws of the Territory in said Courts," for the year 1876, was exhausted on the 23d day of October of that year; and the $11,000 appropriated for similar purposes for the year 1877, was exhausted on the 27th day of September last, leaving a large amount of Court certificates in the hands of the people unpaid. I requested the Clerks of the District Courts to forward Abstracts before the close of the year, so that a correct statement could be made as to the deficiency or amount unpaid. Two of the Clerks have failed to comply, hence, I cannot give such a statement as I desired. I have reason to believe, however, that the deficiency will not be less than $15,000 nor more than $20,000.

I have not given the full detail of the payment of these appropriations, namely, every individual to whom payment was made, as I did in my last report, for the reason that it would swell this report to an extraordinary length. A full detailed statement would fill thirty-seven pages, and I concluded that to detail by Abstracts would answer all necessary purposes, inasmuch as each Abstract, with accompanying paid Court Certificates, will be kept on file in this office.

Very respectfully, your obedient servant,

WM. CLAYTON,
Auditor of Public Accounts.

SALT LAKE CITY, January 2d, 1878.

TREASURER'S REPORT.

TERRITORIAL TREASURER'S OFFICE,
SALT LAKE CITY, U. T., December 31, 1877.

TO HIS EXCELLENCY, GEO. W. EMERY,
GOVERNOR OF UTAH TERRITORY:

DEAR SIR:—I respectfully submit herewith my Biennial Report of the Receipts and Disbursements of this office, for the two years ending at date:

RECEIPTS.

Amounts received from the Assessors and Collectors, of the following Counties:

Names of Counties.	1876	1877	Total 2 years.
Box Elder	3,876 95	4 880 82	8,757 77
Beaver	730 93	925 75	1,656 68
Cache	1,412 40	2,892 48	4,304 88
Davis	1,272 05	1,691 08	2,963 13
Iron	639 26	818 25	1,457 51
Juab	411 70	1,494 50	1,906 20
Kane	785 44	979 20	1,764 64
Morgan	1,428 30	682 00	2,110 30
Millard	1,126 05	653 70	1,779 75
Piute	100 00	188 00	288 00
Rich	420 25	363 20	783 45
Salt Lake	6,355 33	23,135 04	29,490 37
Sanpete	1,542 65	1,423 40	2,966 05
Sevier	450 64	1,143 65	1,594 29
Summit	1,766 35	2,915 60	4,681 95
Tooele	2,150 62	2,078 45	4,229 07
Utah	5,371 15	3,993 15	9,364 30
Wasatch	481 50	640 86	1,122 36
Washington	926 60	2,110 10	3,036 70
Weber	5,478 03	4,017 09	9,495 12
Fine account	100 00		100 00
Office furniture sold		25 00	25 00
Agricultural reports		90	90
Add balance on hand December 31, 1875			532 24
	$36,826 20	$57,052 22	
Total Receipts			$94,410 66

DISBURSEMENTS.

	1876	1877	Total 2 years.
Auditor's Warrants redeemed at the Treasury.....	$37,357 46	$56,967 87	
Total disbursements.....			$94,325 33
Balance in the Treasury.....			85 30
			$94 410 66

JAMES JACK,
Territorial Treasurer.

Salt Lake City, U. T., December 31, 1877.

WEDNESDAY, JANUARY 16, 1878.

COUNCIL.

Council Chamber,
City Hall, Salt Lake City, Jan. 16, 1878.

Council met pursuant to adjournment.
Roll called. Quorum present.
Prayer by Elder Coltrin.

Councilor Thurber, chairman of the committee appointed to make arrangements for Public Printing, presented the following report:

Council Chamber, Jan. 16, 1878.

Mr. President and Members of the Legislative Council:

Gentlemen—Your committee appointed to make inquiries in relation to the Public Printing, respectfully report that they have attended to said duty, and would recommend that William C. Dunbar, of Salt Lake City, be elected Public Printer.

A. K. THURBER,
ERASTUS SNOW,
Committee.

On motion of Councilor Cluff, the report was accepted and the committee discharged.

On motion of Councilor Burton, the recommendation of the committee, the House concurring, was adopted, and Wm. C. Dunbar elected Public Printer.

The following communication was received from the House:

Representatives' Hall,
City Hall, Salt Lake City, Jan 16, 1878.

To the Hon. Lorenzo Snow, President,
and Members of the Legislative Council:

Gentlemen—The House has elected (the Council concurring) Wm. C. Dunbar, Public Printer.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

On motion of Councilor Burton, the Council concurred in the action of the House.

On motion of Councilor Snow, the freedom of the Council Chamber was tendered to the following gentlemen: Hon. Feramorz Little, Mayor, and Members of the Salt Lake City Council;

Hons. J. M. Bernhisel and Wm. H. Hooper, ex-Delegates;

Hon. M. Schaeffer, Chief Justice Supreme Court of Utah;

Hon. P. H. Emerson and Hon. Jacob Boreman, Associate Justices;

The ex-Justices of the Supreme Court of Utah;

The U. S. District Attorney for Utah and the ex-U. S. District Attorneys;

Nathan Kimball, Esq., Surveyor General;

Barbour Lewis, Esq., Register of Land Office;

Moses M. Bane, Esq., Receiver of Public Moneys;

O. J. Hollister, Esq., U. S. Collector;

Gen. John E. Smith and Staff, Camp Douglas;

Hon. Z. Snow, Attorney General of Utah Territory;

The Probate Judges of the several counties of the Territory;

Jesse W. Fox, Esq., Territorial Surveyor, and the ex-Members of the Legislative Assembly;

Hon. Daniel H. Wells, Chancellor, Regents and Faculty of the Deseret University;

Professor O. H. Riggs, ex-Territorial Superintendent of Common Schools.

Councilor W. R. Smith presented the following resolution:

Council Chamber, Jan. 16, 1878.

Be it resolved, the House concurring, that the Public Printer be directed to print 200 copies of the Journals of the present Legislative Assembly and 75 copies of the Daily Minutes, for the use of the Assembly.

WM. R. SMITH.

Passed.

Councilor Snow presented (C. F. 1) "A Bill to Amend An Act to extend the Jurisdiction of Justices of the Peace in Criminal Cases, and to Regulate the Mode of Procedure therein," approved Feb. 18, 1876, which was read, and,

On motion of Councilor Snow, was referred to the committee on Judiciary.

Councilor Snow also presented (C. F. 2) "A Bill to limit the time within which Criminal Actions may be commenced in the Territory of Utah," which was read, and,

On motion of Councilor Snow, was referred to the committee on Judiciary.

On motion of Councilor Smoot, Councilor Raleigh was added to the committee on Judiciary.

The President referred the several portions of the Governor's Message to the appropriate standing committees, as follows:

That portion relating to the Financial Condition of the Territory, to the committee on Revenue.

That portion relating to Schools, to the committee on Education.

That portion relating to Irrigating, to the committee on Irrigation.

That portion relating to Secret Ballot, to the committee on Elections.

That portion relating to the Compiled Laws of Utah, to the committee on Library.

That portion relating to Bail, to the committee on Judiciary.

That portion relating to Chattle Mortgages, to the committee on Judiciary.

That portion relating to Justices of the Peace, to the committee on Judiciary.

That portion relating to Stock Raising, to the committee on Agriculture, Trade and Manufactures.

That portion relating to Penitentiary, to the committee on Penitentiary.

That portion relating to the Collection of Debts, to the committee on Revision.

That portion relating to Executions, to the committee on Revision.

That portion relating to Fees of Jurors, to the committee on Revenue.

That portion relating to Sericulture, to the committee on Agriculture, Trade and Manufactures.

That portion relating to Marriage, to the committee on Judiciary.

That portion relating to the Criminal Practice Act, to the committee on Judiciary.

That portion relating to Divorce, to the committee on Revision.

That portion relating to the Code Commission, to the committee on Revenue.

That portion relating to the Mountain Meadow Massacre, to the committee on Appropriations.

That portion relating to polygamy, to the committee on Judiciary.

Minutes read and accepted.

On motion of Councilor Cluff, Council adjourned.

Benediction.

HOUSE.

Representatives' Hall,
City Hall, Salt Lake City, Jan. 16, 1878. 2 p.m.

House met pursuant to adjournment.
Called to order by the Speaker.
Roll called. Quorum present.
Prayer by the Chaplain.

The Speaker announced that he had apportioned the different portions of the Governor's Message to the several committees of the House, as follows:

Those portions of the Message relating to Finances, Bail, Mortgages, Justices of the Peace, Collection of Debts, Executions, Marriages, both Monogamic and Polygamic, Divorces, and a Code of Procedure for the Courts in Criminal cases, are referred to the committee on Judiciary.

That portion relating to Common Schools and School Districts, is referred to the committee on Education.

That portion relating to Irrigation, is referred to the committee on Irrigation and Canals.

That portion relating to Elections, is referred to the committee on Elections.

Those portions relating to the Distribution of the Compiled Laws, and to the Fees of Jurors, to the committee on Claims and Appropriations.

Those portions relating to Stock Raising and Silk Culture, to the committee on Agriculture, Trade and Manufactures.

That portion relating to the Penitentiary, to the committee on Penitentiary.

That portion relating to a Commission to Codify the Laws, to the committee on Revision.

That portion relating to the Mountain Meadows' Massacre, to such select committee as the House may hereafter appoint.

Mr. Murdock, chairman of committee on Printing, reported the following:

Representatives Hall,
January 16, 1878.

Mr. Speaker, and Gentlemen of the House:

Your committee appointed to make inquiry in relation to the Public Printing, respectfully report that they have attended to said duty, and would recommend that we elect William C. Dunbar, of Salt Lake City, our Public Printer.

J. R. MURDOCK, chairman.

On motion of Mr. Hatch, report adopted, and, Coun-

cil concurring, W. C. Dunbar was elected Public Printer, and committee discharged.

The following message, received from the Council, was read:

Council Chamber,
City Hall, Salt Lake City, Jan. 16, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council concurs in the election of Wm. C. Dunbar, Public Printer.

Respectfully,
LORENZO SNOW, President.

Wm. Clayton, Auditor of Public Accounts, presented statement of amounts due Jurors, Witnesses and Clerks of District Courts after the appropriations of 1876-7 were exhausted.

On motion of Mr. Pace, referred to the committee on Claims and Appropriations.

The Auditor of Public Accounts presented the reports of Warden Rockwood on Penitentiary matters for 1876-7.

On motion of Mr. Murdock, referred to the committee on Penitentiary.

Mr. Farr presented a petition from the Wilson Irrigating company of Weber county, which was read, and,

On motion of Mr. Lyman, referred to the committee on Irrigation and Canals.

Mr. Milner moved the following:

I move that a special committee be appointed, with power to send for persons and papers, to enquire into the matter of expenses of Courts in the several districts of the Territory, to ascertain the amount of Territorial business done in each District, the proportion of Territorial funds already paid to each, the amount of fines assessed, the amount of fines collected and disposition thereof, the mode of taxing and collecting costs in Territorial cases, and such other matters pertaining to expenses of Courts as they may deem advisable, and report at an early day.

JOHN B. MILNER.

On motion of Mr. Farr, this motion was referred to a special committee to be appointed by the Speaker, and of which Mr. Milner shall be chairman.

The Speaker appointed Messrs. Milner, Rockwood and Lyman, to act as such committee.

Mr. Birch presented the Financial Report of Kane County, for 1876-7.

On motion of Mr. Pace, referred to the committee on Revenue. without reading. All County Financial Reports presented hereafter were ordered referred to the same committee.

Mr. Hatch moved the following, which was carried:

I move that the freedom of the House be extended to the following named gentlemen:

Hon. D. H. Wells, ex-Mayor of Salt Lake City;

Hons. W. H. Hooper and J. M. Bernhisel, ex-Members of Congress;

Chief Justice Schaeffer;

Associate Justice P. H. Emerson;

Associate Justice J. S. Boreman;

Hon. F. Little, Mayor, and Members of City Council, Salt Lake City;

Gen. John E. Smith and Commissioned Officers of this garrison;

N. Kimball, Surveyor General;

Judge Z. Snow;

Judge E. Smith;

Dr. J. R. Park;

Bp. Edwd. Hunter,

And ex-Members of the Legislative Assembly.

ABRAM HATCH.

The Report of the Directors of the Penitentiary was presented, read, and,

On motion of Mr. Wright, referred to the committee on Penitentiary.

Minutes called for, read and accepted.

Benediction by the Chaplain.

On motion of Mr. Grover, House adjourned till 2 p.m. to-morrow.

THURSDAY, JANUARY 17, 1878.

COUNCIL.

Council Chamber,
City Hall, Salt Lake City, Jan. 17, 1878.

Council convened at the usual hour.

Roll called. Quorum present.

Prayer by Elder Coltrin.

Councilor Smoot presented (C. F. 3) "A Bill concerning divorces," which was read, and,

On motion of Councilor Wm. R. Smith, was referred to the committee on Judiciary.

Councilor S. S. Smith presented "Petition of W. C. Mitchell, Assessor and Collector of Iron county, asking remittances for Territorial taxes," which was read, and,

On motion of Councilor Smith, was referred to the committee on Claims and Appropriations.

The President administered the customary oath of office to Geo. J. Taylor, Esq., Enrolling Clerk of the Council.

The following communication was received from the House:

Representatives' Hall,
City Hall, Salt Lake City, Jan. 17, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House concurs in your action concerning printing 200 Journals and 75 copies of Daily Minutes.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Minutes read and accepted.

On motion of Councilor Burton, Council adjourned.

Benediction.

HOUSE.

Representatives' Hall,
City Hall, Salt Lake City, Jan. 17th, 1878. 2 p.m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Mr. Milner, chairman of Special Committee, reported the following:

Committee Room,
House of Representatives, Jan. 17th, 1878.

To the Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—Your Special Committee, to whom was referred the matter of the expediency of the appointment of a Special Committee, with power to send for persons and papers to inquire into the expenses incurred by courts, disposition of fines, etc., beg leave to report that we have inquired into the necessity for such committee, and the probable expense thereof, and are fully satisfied that the information of the practice of the officers of court in the management of funds is imperatively necessary to correct legislation by your honorable body, and that the said information can probably be obtained by such committee at slight cost. We, therefore, earnestly recommend the immediate appointment of such committee.

JOHN B. MILNER,
Chairman.

On motion of Mr. Brown, the report was accepted and recommendation adopted.

On motion of Mr. Peery, the same committee, Messrs. Milner, Rockwood and Lyman, was appointed to act on the matter.

Mr. Milner presented (H. F. No. 1) a "Bill to amend sections 1847 and 2301 of the Compiled Laws of Utah," which was read the first time, and

On motion of Mr. Milner, referred to committee on Judiciary.

The following communication from the Council was received and read:

Council Chamber,
City Hall, Salt Lake City, Jan. 16th, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has resolved, the House concurring, that the Public Printer be directed to print 200 copies of the Journals of the present Legislative Assembly, and 75 copies of the Daily Minutes, for the use of the Assembly.

Respectfully,
LORENZO SNOW,
President.

On motion of Mr. Murdock, the action of the Council was concurred in.

Mr. Murdock presented the claim of James R. Wilkins for services and expenses as Clerk of the Court of the Second Judicial District, which,

On motion of Mr. Murdock, was referred to committee on Claims and Appropriations.

Mr. Milner presented a bill (H. F. No. 2) entitled a bill "To amend sections 1151 and 1154 of Compiled Laws of Utah," which was read the first time, and,

On motion of Mr. Milner, referred to the committee on Judiciary.

Minutes read and accepted.

Prayer by the Chaplain.

Adjourned till 2 p.m. to-morrow.

FRIDAY, JANUARY 18, 1878.

COUNCIL.

Council Chamber,
City Hall, Salt Lake City, Jan. 18, 1878.

Council met at the regular hour.

Roll called.

Prayer by the Chaplain.

Communication was received and read, from Prof. O. H. Riggs, acknowledging the courtesy of the Council in tendering him the freedom of their Chamber.

Councilor Thurber presented the following motion:

I move (the House concurring) the number of copies of the printed Daily Minutes, for the use of the Assembly, be increased to 100.

(Signed) A. K. THURBER.

Carried.

Councilor W. R. Smith presented "Resolution for the appointment of a commission to determine the boundary lines between Davis and Morgan Counties," which was read, and,

On motion of Councilor Cluff, was referred to the committee on Counties.

Minutes read and accepted.

On motion of Councilor Burton, Council adjourned till Monday next, at the regular hour.

Benediction.

HOUSE.

Representatives' Hall,
City Hall, Salt Lake City, Jan. 18, 1878. 2 p.m.

House met pursuant to adjournment.
Called to order by the Speaker.
Roll called. Quorum present.
Prayer by the Chaplain.

Mr. Peery presented two Petitions from Residents o Ogden City, praying to reduce the boundaries of said City on the north. Read, and,

On motion of Mr. Hatch, referred to the committee on Municipal Corporations and Townsites.

Mr. Rockwood presented a claim of C. S. Hill, Clerk of Third District Court, against the Territory, for services in said court.

On motion of Mr. Fisher, referred to committee on Claims and Appropriations.

Mr. Grover, chairman of committee on Irrigation and Canals, made the following report:

Representatives' Hall.
January 18, 1878.

Mr. Speaker,
and Gentlemen of the House of Representatives:

Your committee, to whom was referred the Petition of the Wilson Irrigation Company, beg leave to refer back to the House that portion of said Petition relating to the memorializing Congress, and ask that it be referred to the committee on Petitions and Memorials.

Very respectfully,

JOEL GROVER,
Chairman.

Report adopted, and portion of Petition referred.

Mr. Webster presented the Financial Report of Iron County for 1876-7.

Mr. Wright presented the Financial Report of Box Elder County for 1876-7.

Mr. Murdock presented a claim of J. M. Coombs, Sheriff of Beaver County, for services in the Second District Court.

On motion of Mr. Hatch, referred to the committee on Claims and Appropriations.

The following message was received from the Council and read:

Council Chamber, City Hall,
Salt Lake City, Jan. 18, 1878.

Hon Orson Pratt, Sen., Speaker, and
Members of the House of Representatives.

Gentlemen—The following motion has passed the Council:

I move (the House concurring) the number of copies of the printed Daily Minutes for the use of the Assembly be increased to 100.

(Signed) A. K. THURBER.

Very respectfully,
LORENZO SNOW,
President.

On motion of Mr. Wright, the action of the Council was concurred in.

Mr. Hatch presented the following motion:

I move that the freedom of the House be extended to the following named gentlemen:

The Ex-Justices of the Supreme Court.
Barbour Lewis, Esq., Register of the Land Office.
Gen. Moses M. Bane, Receiver of Public Moneys.
O. J. Hollister, Esq., U. S. Collector.
The Probate Judges of the several Counties.
Jesse W. Fox, Esq., Territorial Surveyor.
Prof. O. H. Riggs, ex-Territorial Superintendent of Common Schools.

A. HATCH.

Carried.

Mr. Murdock presented a petition from Josephus Wade for relief, claiming to have had $101 of Territorial money stolen from him, which was read, and,

On motion of Mr. Milner, referred to the committee on Petitions.

Mr. Hatch presented a bill, (H. F. No. 3) "Regulating Interest." Read the first time, and,

On motion of Mr. Murdock, referred to committee on Judiciary.

Mr. Fisher presented a bill, (H. F. No. 4) "Amending An Act Regulating Elections," approved Jan. 3, 1853.

Read the first time, and,

On motion of Mr. Brown, referred to committee on Elections.

On motion of Mr. Grover, House adjourned till 10 a.m. to-morrow.

Benediction by the Chaplain.

SATURDAY, JANUARY 19, 1878.

HOUSE.

Representatives' Hall, City Hall,
Salt Lake City, Jan. 19, 1878. 10 a. m.

House met as per adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Letter received and read from Dr. John R. Park, Principal of University of Deseret, acknowledging and accepting the courtesy of the freedom of the House.

Mr. Murdock presented a Petition from B. A. Spear, for services as Bailiff and Jailor of Second Judicial District. Read, and,

On motion of Mr. Grover, referred to committee on Claims and Appropriations.

Mr. Murdock presented a claim of Josiah Rogerson, for services as phonographic reporter, in the Second District Court. Read, and,

On motion of Mr. Hatch, referred to committee on Claims and Appropriations.

Mr. Brown presented a claim of Myron Tanner, for two years' services as Director of Utah Penitentiary.

Read, and,

On motion of Mr. Hatch, referred to committee on Claims and Appropriations.

Mr. Wright, chairman of committee on Petitions and Memorials, reported on the Petition of Joseph Waid as follows:

Committee Room, Jan. 19, 1878.

To the Hon. Speaker,
and Gentlemen of the House:

Your Committee on Petitions and Memorials, beg leave to report, that after having considered the petition of Joseph Waid, asking the remittance of $101.00, said to have been stolen from him, report that we deem it unwise to grant such appropriation.

J. C. WRIGHT, chairman.

On motion of Mr. Preston, report adopted.

Minutes called for and read.

On motion of Mr. Grover, House adjourned till Monday next at 2 p. m.

Benediction by the Chaplain.

MONDAY, JANUARY 21, 1878.

COUNCIL.

Council Chamber,
City Hall, Salt Lake City, Jan. 21, 1878.

Council convened at the regular hour.

Roll called. Quorum present.

Prayer by the Chaplain.

The President administered the customary oath to Councilor Thatcher.

The following communications were received and read:

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House concurs in the action o the Council increasing the printing of Daily Minutes to 100.

Very respectfully,
ORSON PRATT, Sen,
Speaker.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed a motion of Mr. Fisher, ordering printed (the Council concurring) 200 copies of the Names and Residences of the Members, with the Officers and Standing Committees of both Houses.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Salt Lake City, Jan. 18, 1878.

To the Hon. Lorenzo Snow, President,
and Members of the Legislative Council:

Gentlemen—Thinking that perhaps you would like to have access to the various standard works of reference

ying on my shelves, I take great pleasure in extending o you the freedom and hospitality of my book store, while ou remain in the city.

Very respectfully, Yours, etc.

JAMES DWYER.

On motion of Councilor Burton, the action of the House in relation to printing 200 copies of the names and esidences of Members, with Officers and Standing Committees of both Houses, was concurred in, and the House otified.

Councilor Thurber presented the following motion:

I move that the thanks of the Council be tendered to Mr. James Dwyer for the courtesy extended to us.

A. K. THURBER.

Carried.

Councilor Snow presented the following:

I rise in my place to announce the demise, on the 29th of August last, of Hon. Brigham Young, Pioneer and Founder of this Territory, and for many years its honored Governor, and I move (the House concurring) the appointment of a committee of two from the Council, to act with a committee from the House, to report Joint Resolutions expressive of the sense of the Legislative Assembly upon the sad event.

ERASTUS SNOW.

The motion being carried, the President appointed Councilors Snow and Thatcher said committee.

Councilor Raleigh presented Petition of Ezra Pettit, asking certain changes in the laws to protect fish during the spawning season, which was read, and,

On motion of Councilor W. R. Smith, was referred to the Committee on Agriculture, Trade and Manufactures.

Minutes read and accepted.

On motion of Councilor Harrington, Council adjourned.

Benediction.

HOUSE.

Representatives' Hall.
City Hall, Salt Lake City, Jan. 21, 1878. 2 p.m.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The Speaker administered the oath of office to Mr. W. G. Smith, member for Davis and Morgan Counties.

Letters received and read from O. J. Hollister and Hon. J. B. McKean, accepting the freedom of the House.

Mr. Pace presented a Petition from J. W. Hoover, and 67 others, praying for legislation for the protection of fish in Utah Lake.

On motion of Mr. Pace, referred to the Committee on Agriculture, etc.

Mr. Rockwood presented a Report of Zion's Co-operative Fish Association, which was read, and,

On motion of Mr. Milner, was referred to the Committee on Agriculture, etc., and 200 copies ordered to be printed for distribution.

The following message was received from the Council:

Council Chamber,
City Hall, Salt Lake City, Jan. 21, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has concurred in your action, on motion of Mr. Fisher, respecting printing of Standing Committees, etc.

Respectfully,
LORENZO SNOW,
President.

Mr. Murdock presented Financial Report of Beaver County, for years 1876-7, referred to committee on Revenue.

Mr. Milner presented Financial Report of Utah County, for years 1876-7. Referred to committee on Revenue.

The following message from the Council was received and read.

Council Chamber, City Hall,
Salt Lake City, Jan. 21, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has appointed Councilors Snow and Thatcher, a committee on the part of the Council, to act with a committee from the House, to report Resolutions expressive of the sense of the Legislative Assembly, on the demise of the late Hon. Brigham Young.

Very respectfully,
LORENZO SNOW,
President.

On motion of Mr. Birch, a committee was appointed to act with a like committee from the Council. Messrs. Carrington, Preston and Pace were appointed to act as said committee.

Mr. Preston presented Financial Report of Rich County for 1876-7.

Letter received and read from O. H. Riggs, Esq., acknowledging and accepting the freedom of the House,

Mr. Rockwood moved the following:

I move that a note of inquiry be addressed to the Auditor of Public Accounts, with a view of ascertaining what public officers or agents (if any) have neglected to report to him as contemplated in Section 52, page 92, of Compiled Laws of Utah, 1876.

A. P. ROCKWOOD.

Carried.

Minutes called for and read.

On motion of Mr. Atwood, House adjourned to 2 p.m. to-morrow.

Benediction by the Chaplain.

TUESDAY, JANUARY 22, 1878.

COUNCIL.

Council Chamber,
City Hall, Salt Lake City, Jan. 22, 1878.

Council convened at the regular hour.
Roll called. Quorum present.
Prayer by the Chaplain.
The following communication was received and read:

Representatives' Hall,
City Hall, Salt Lake City, Jan. 21, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has concurred in your action concerning resolutions of respect on the demise of the late Hon. Brigham Young, and appointed Messrs. Carrington, Preston and Pace, a committee to act in conjunction with the committee appointed by the Council.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Councilor Harrington, Chairman of the Committee on Judiciary, to whom was referred (C. F. 1) "A Bill to amend an Act to extend the Jurisdiction of Justices of the Peace in Criminal Cases, &c.," reported a substitute (C. F. 4), "A Bill to amend certain sections," &c. and recommended its passage in lieu of the Bill aforesaid.

The substitute was read, and,

On motion of Councilor Snow, passed its first reading, and was taken up on its second reading, and,

On motion of Councilor W. R. Smith, passed its second reading.

The following communication was received and read:

Camp Douglas, Utah,
Jan 18, 1878.

Hon. Lorenzo Snow,
Salt Lake City:
Sir:

In the temporary absence of General Smith, I have the honor to acknowledge, with thanks, your communication of the 16th inst., tendering to the General and his Staff the freedom of the Council Chamber.

Very respectfully,
Your obedient servant,
THOMAS F. TOBEY,
Capt. 14th Inf'y., Com'd'g Post.

Councilor Harrington, Chairman of the Committee on Judiciary, to whom was referred (C. F. 2) "A Bill to limit the time within which Criminal Actions may be commenced," reported back the same amended.

Said C. F. 2 was then read, and,

On motion of Councilor Snow, passed its first reading and was taken up on its second reading; pending the reading of the sixth section,

On motion of Councilor Cluff, was recommitted to the Committee on Judiciary.

Minutes read and accepted.

On motion of Councilor Burton, Council adjourned.

Benediction.

HOUSE.

Representatives' Hall,
City Hall, Salt Lake City, Jan. 22, 1878 2 p.m.

House met as per adjournment.

Roll colled. Quorum present,

Prayer by the Chaplain.

Letter received and read from Adj't. McCammon, on behalf of Gen. Smith and Staff, accepting the freedom of the House.

The following was received from the Auditor of Public Accounts.

Territorial Auditor's Office,
Salt Lake City, Jan. 22, 1878.

Arthur Stayner, Esq.,
Chief Clerk, House of Representatives,
Sir:

In reply to yours of yesterday, communicating copy f motion by the House, asking what public officers or gents, if any, have neglected to report to this office, as ontemplated in Section 52, page 92, of Compiled Laws f Utah, 1876, I regret to be compelled to state that the nly Territorial officer who has complied with said law, is Hon. A. P. Rockwood, as Warden of the Utah Penitentiary, whose report I have already had the honor to submit to the Hon. Legislative Assembly

Very Respectfully,
WM. CLAYTON,
Auditor of Public Accts.

Mr. Taylor stated that he, as Territorial Superntendent of Common Schools had duly made and deivered his report to the Auditor of Public Accounts.

Mr. Preston presented a Petition from the citizens of Rich County, for extension of County lines Read, and,

On motion of Mr. Hatch, referred to Committee on Counties.

Mr. Gardner presented a petition from J. S. Rawlins and 26 others for right of way. Read, and,

On motion of Mr. Brown, referred to committee on Irrigation and Canals.

Mr. Atwood presented the Financial Report of Summit County for the years 1876-7.

Referred to committee on Revenue.

Mr. Hatch presented a bill (H F No 5) for an Act to repeal section 1022 compiled laws of Utah. Read the first time, and,

On motion of Mr. Hatch, referred to committee on Judiciary.

Mr. Murdock presented a petition from J. R. Wilkins, clerk of the 2nd Judicial District Court, praying for an al-

lowance to purchase a new set of record books for said court. Read, and,

On motion of Mr. Smith, referred to committee on Claims and Appropriations.

Mr. Hatch moved the following:

I move that the committee on Claims and Appropriations wait upon the Auditor of Public Accounts, and ascertain the facts in relation to the non-appearance of reports required by law to be made, and report whether further legislation is, in their opinion, necessary in that regard.

A. HATCH.

Minutes called for and read.

On motion of Mr. Grover, House adjourned till 2 p.m. to-morrow.

Benediction by the Chaplain.

WEDNESDAY, JANUARY 23, 1878.

COUNCIL.

Council Chamber,
City Hall, Salt Lake City, Jan. 23, 1878.

Council convened at the regular hour.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Cluff, chairman of the committee on Unfinished Business, presented the following report:

Committee Room,
City Hall, Salt Lake City, Jan. 23, 1878.

Mr. President, and Members of the Council:

Gentlemen—Your committee on Unfinished Business, have examined the Journals of the last session of the Leg-

islative Assembly of this Territory, and find (C. F. 3) "A Bill defining the Judicial Districts of the Territory of Utah; also (C. F. 15) "A Bill to confer on women the right to hold certain offices in this Territory." Also (C. F. 22 "An Act to incorporate the city of Manti." Also (H. F. 36) "A Bill to amend the Spanish Fork City Charter," were laid over as unfinished business of the 22d Session, and are herewith presented for your action thereon.

W. W. CLUFF, chairman.

On motion of Councilor Thurber, the report was accepted, and the bills laid on the table.

(C. F. 4) "A Bill to amend certain sections, etc.," was taken up on its third reading by its title, and the title amended so as to read "An Act to amend certain sections herein named of Titles 21 and 22, of the Compiled Laws of Utah." and,

On motion of Councilor Smoot, the Bill was so passed and sent to the House for their action.

(C. F. 22) of unfinished business, "An Act to incorporate the city of Manti," came up in its order, and,

On motion of Councilor Snow, was laid on the table till called for.

(C. F. 3) of unfinished business, "A Bill defining the Judicial Districts etc.," then came up in its order, and,

On motion of Councilor Smoot, was laid on the table indefinitely.

(C. F. 15) of unfinished business, "A Bill to confer on women the right to hold certain offices," came up in its order, and,

On motion of Councilor Burton, was referred to the committee on Elections.

Councilor Harrington, chairman of committee on Judiciary, reported back (C. F. 2) "A Bill to limit the time within which Criminal Actions may be commenced, etc.," amended, and recommended its passage as amended.

The amendments were read, and,

On motion of Councilor Harrington, the bill passed its second reading.

Minutes read and accepted.

On motion of Councilor Burton, Council adjourned.

Benediction.

HOUSE.

Representatives' Hall,
City Hall, Salt Lake City, Jan. 23, 1878. 2 p.m.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The report of Auditor of Public Accounts, concerning appropriation of $3,000 for safes for District Court Records, was received and read, and,

On motion of Mr. Hatch, referred to the committee on Claims and Appropriations.

Also the report of Auditor of Public Accounts, concerning property turned over to his custody by Marshal McAllister, was received and read, and

On motion of Mr. Rockwood, referred to the committee on Revenue

Mr. Lyman presented the financial report of Millard county, for the years 1876-7.

Mr. Rockwood presented the report of the Territorial Treasurer, of property in his charge.

Read, and,

On motion of Mr. Hatch, referred to the committee on Revenue.

Mr. Fisher presented the financial report of Davis county, for the years 1876-7.

Mr. Grover presented the financial report of Juab county, for the years 1876-7.

Referred.

Mr. Lyman presented the report of the Scipio Irrigation company.

Referred to the committee on Irrigation and Canals.

Mr. Brown, chairman of the committee on Unfinished Business, presented the following Bills, which were laid over from last session:

[H. F. No. 3] "An Act in relation to chattel mortgages."

On motion of Mr. Hatch. referred to the committee on Judiciary.

[H. F. No. 7] "An Act to incorporate Spring City."

On motion of Mr. Lyman, referred to the committee on Municipal Corporations and Townsites.

[H. F. No. 35] "An Act in relation to county boundaries."

On motion of Mr. Milner, referred to committee on counties.

Mr. Hatch presented the financial report of Wasatch county, for the years 1876-7.

Mr. Rockwood presented the following:

Committee Room,
Salt Lake City, Jan. 23, 1878.

Mr. Speaker, and
Members of the House of Representatives:

Gentlemen—Your committee on Claims and Appropriations, to whom was referred the motion of Mr. Hatch in relation to the non-appearance of reports required by law to be made, respectfully report that further legislation is, in our opinion, necessary, and recommend that the subject be referred to the committee on Revenue, with instructions to report a bill.

A. P. Rockwood, chairman.

Recommendation was adopted, and subject matter referred.

Mr. Birch presented a Bill, (H. F. No. 6) "An Act to regulate the right to and use of water for agricultural, mining and manufacturing purposes." Read the first time, and,

On motion of Mr. Lyman, referred to the committee on Irrigation and Canals.

Mr. Farr reported back [H. F. No. 2] with amendments.

On motion of Mr. Pace, 75 copies ordered to be printed as amended by the committee.

The following communication was received from the Council;

Council Chamber, City Hall,
Salt Lake City, Jan. 23, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—[C. F. 4] "A Bill for an act to amend certain sections herein named, of Titles 21 and 22 of the Compiled Laws of Utah," has passed the Council, and is now respectfully forwarded for the action of your honorable body.

Respectfully,
LORENZO SNOW,
President.

(C. F. No. 4) was read the first time, and,

On motion of Mr. Farr, was read the second time, and,

On motion of Mr. Preston, referred to the committee on Judiciary.

Minutes called for and read.

On motion of Mr. Pace, House adjourned till 2 p.m. to-morrow.

Benediction by the Chaplain.

THURSDAY, JANUARY 24, 1878.

COUNCIL.

Council Chamber,
City Hall, Salt Lake City, Jan. 24, 1878,

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Cluff presented [C. F. 6] "A Bill for An Act to amend Section 581, Chapter 5, Title 16, Compiled Laws of Utah," and moved its reference to the Committee on Judiciary.

Said Bill was read, and,

On motion of Councilor Cluff, was referred to the aforesaid committee.

Councilor Smoot presented the following:

Mr. President, I herewith present a petition from Peter Madsen and thirty others, citizens of Utah County, asking further legislation for the protection of the better varieties of fish, in the waters of Utah Territory, and move that it be read, and referred to the committee on Agriculture, Trade and Manufactures.

Respectfully,

A. O. SMOOT.

The said petition was read, and referred according to Councilor Smoot's motion.

[C. F. 2] "A Bill to limit the time within which Criminal Actions may be commenced," was taken up on its third reading by its title.

The title was read, and,

On motion of Councilor Smoot, the Bill so passed, and was sent to the House.

[H. F. 36] Unfinished Business, "An Act to amend An Act entitled An Act to Incorporate Spanish Fork City, approved Jan. 19, 1855," came up in its order, and was read, and,

On motion of Councilor Harrington, was referred to the committee on Municipal Corporations and Townsites.

Minutes read and accepted.

On motion of Councilor Harrington, Council adjourned.

Benediction.

HOUSE.

Representatives' Hall,
City Hall, Salt Lake City, Jan. 24, 1878. 2 p.m.

House met pursuant to adjournment.
Roll called. Quorum present.
Prayer by the Chaplain.

Mr. Lyman presented the following report:

Committee Room,
Salt Lake City, Jan. 24, 1878.

Mr Speaker,
and Members of the House of Representatives:

Gentlemen—Your Committee on Revenue, to whom was referred the report of the committee on Claims and Appropriations, in relation to the non-appearance of reports required by sections 52 and 53, page 92, of the Compiled Laws of Utah, with instructions to report a Bill, respectfully report that upon examination of the law, and careful inquiry made of the Auditor of Public Accounts, that it is unnecessary to report a Bill at this time. Auditor Clayton has been so crowded with business that the requirements of the law referred to were forgotten, for the time, and he is of opinion that if the memory of those officers had been refreshed by note from him, that the reports would have been in on time. The Auditor will now draw the attention of those officers to the requirements of the law, and no doubt the required reports will be laid before the Auditor, and the condensed report, by law required, will be before the Assembly at an early day.

F. M. LYMAN, chairman.

Read, and,

On motion of Mr. Rockwood, report adopted and committee discharged from further action in the premises.

Mr. Lyman, chairman of the committee on Revenue, presented a Revenue Bill, [H. F. No. 7].

Read the first time, and,

On motion of Mr. Pace, 75 copies ordered to be printed.

Mr. Milner presented a petition from Presley Denney, asking for payment for services as Assistant District Attorney for the Second Judicial District, for the years 1876-7. Read, and,

On motion of Mr. Milner, referred to committee on Claims and Appropriations.

[H. F. No. 2] was taken up, and, pending its second reading, on motion of Mr. Farr, was laid on the table till called for.

Mr. Milner presented a petition from B. A. Norris and 23 others, asking an appropriation to cover the unpaid expenses of the District Court of the First Judicial District. Read, and,

On motion of Mr. Hatch, referred to the committee on Claims and Appropriations.

Minutes called for and read.

On motion of Mr. Wright, House adjourned till 2 p.m. to-morrow.

Benediction by the Chaplain.

FRIDAY, JANUARY 25, 1878.

COUNCIL.

Council Chamber,
City Hall, Salt Lake City, Jan. 25, 1878.

Council convened at the regular hour.
Roll called. Quorum present.
Prayer by the Chaplain.

Councilor Cluff presented (C. F. 8,) "A Bill for An Act to provide for the health and safety of persons employed in Coal Mines." which was read, and,

On motion of Councilor Burton, was referred to the committee on Mineral Resources, with instructions to have 75 copies printed.

Councilor W. R. Smith presented (C. F. 9) "A Bill to authorize and regulate the adoption of children," which was read, and,

On motion of Councilor Raleigh, was referred to the committee on Education, with orders to print 50 copies.

Councilor Raleigh presented (C. F. 10) "An Act amending the Charters of Incorporated Towns and Cities," which was read, and,

On motion of Councilor Harrington, passed its first reading, and,

On motion of Councilor Raleigh, was referred to the committee on Municipal Corporations and Townsites, with authority, if they deem it expedient, to print not exceeding 75 copies of the same.

Councilor Harrington presented (C. F. 11) " A Bill regulating the mode of procedure in Criminal Cases," which was read, and,

On motion of Councilor Snow, passed its first reading, and was referred to the commitee on Judiciary, with orders to have 75 copies printed.

Minutes read and accepted.

On motion of Councilor Burton, Council adjourned.

Benediction.

HOUSE.

Representatives' Hall,
City Hall, Salt Lake City, Jan. 25, 1878. 2 p.m.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received from the Council:

Council Chamber,
City Hall, Salt Lake City, Jan. 24, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The accompanying Bill (C. F. No. 2) "A Bill to limit the time within which Criminal Actions may be commenced," has passed the Council, and the same is now respectfully forwarded to your honorable body for your action thereon.

Respectfully,
LORENZO SNOW, President.

(C. F. No. 2) "A Bill to limit the time within which Criminal Actions may be commenced." Read the first time, and,

On motion of Mr. Hatch, referred to the committee on Judiciary.

Mr. Peery presented the Financial Report of Weber County for the years 1876-7. Referred.

Mr. Smith, chairman of committee on Elections, reported the following:

Committee Room, Representatives' Hall,
Salt Lake City, Jan. 25, 1878.

Mr. Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Elections, to whom was referred "An Act to amend an Act regulating Elections," beg leave to report a substitute Bill entitled "An Act providing for the Registration of Voters, and to regulate the manner of conducting Elections in this Territory," and recommend its passage.

Respectfully,
W. G. SMITH, chairman.

On motion of Mr. Rockwood, the original Bill was rejected, and the substitute Bill, (H. F. No. 8) accepted.

(H. F. 8) "Providing for the Registration of Voters, and to regulate the manner of conducting Elections in this Territory," was read the first time, and,

On motion of Mr. Lyman, was ordered printed.

On motion of Mr. Smith, House adjourned till 2 p.m. to-morrow.

Benediction by the Chaplain.

Report of A. P. Rockwood,

Supt. Zion's Co-operative Fish Association.

Mr. Speaker,
and Members of the House of Representatives:

Gentlemen—By request of the Directors of Zion's Co-operative Fish Association, I ask leave to submit a report prepared by their Superintendent, in relation to fish culture in Utah, and the distribution of the small-fry salmon in the public waters of the Territory.

A. P. Rockwood, Supt.

Salt Lake City, Utah, Jan: 1, 1878.

Hons. Wilford Woodruff, G. Q. Cannon and A. M. Musser, Directors of Zion's Co-operative Fish Association.

Gentlemen—Pursuant to request, I herewith submit a report of the distribution of the small-fry salmon in the waters of the Territory, also a general history of the success of fish culture in Utah, from January, 1871, to date, that the same through you may be made public to the Legislative Assembly.

In January, 1871, under the auspices of the Deseret Agricultural and Manufacturing Society, a meeting was called of the citizens of Salt Lake County and vicinity, to take into consideration the subject of the importation of the Italian bee, fish culture and the kindred subjects.

Mr. Wilford Woodruff was elected President; Mr. R. L. Campbell, Secretary.

The President laid before the meeting the subject of bee culture, and advised that immediate steps be taken to accomplish the object of the same, which was referred to a committee.

The business of Pisciculture was also spoken of, but action deferred until the next meeting.

Meeting adjourned for one week.

At the adjourned meeting, the science of fish culture was introduced; reports and essays from several sources

on the subject were read by the Secretary, inquiry was made for a person who had a practical knowledge of the business, but none could be found throughout the Territory. There were plenty of good fishermen who knew how to catch and eat fish; all of them knew how to destroy, but none to create by artificial propagation and cultivation.

To accomplish this, our meeting resulted in an organization termed Zion's Co-operative Fish Association.

The following Officers were elected:

Hon. Wilford Woodruff, President;

Hon. George Q. Cannon, Vice President;

A. M. Musser, Esq., Secretary.

The above named gentlemen constitute Ex-officio Directors.

The following named gentlemen subscribed for stock in the institution, and subsequently paid for the shares.

Wilford Wodruff, one share	.....	$ 25 00
William Clayton, two "	.....	50 00
A. M. Musser, four "	.....	100 00
Feramorz Little, four "	.....	100 00
George Q. Cannon, one "	.....	25 00
A. P. Rockwood, four "	.....	100 00
F. A. Mitchell, one "	.....	25 00
Z. Snow, two "	.....	50 00
William Jennings, one "	.....	25 00
John Sharp, one "	.....	25 00
C. C. Asmussen, one "	.....	25 00
John Clark, one "	.....	25 00
David Day, one "	.....	25 00
George Dunford, one "	.....	25 00
H. B. Clawson, two "	.....	50 00
Brigham Young, two "	.....	50 00
Total, twenty-nine shares.		
Total amount for shares	.....	$725 00
Donation from Salt Lake City	.....	100 00
" Deseret A. & M. Society	...	400 00
" From other parties	.....	35 00
Total Investment	.....	$1,260 00

The society being duly organized, rules and regulations were adopted.

Directors appointed A. P. Rockwood Superintendent, and authorized him to select a suitable place for a Piscicultural farm, and make report at his earliest convenience.

March 15, 1871.

Hons. Wilford Woodruff, George Q. Cannon and A. M. Musser, Ex-officio Directors of Zion's Co-operative Fish Farm.

Gentlemen—Pursuant to instructions, I have examined several places for suitable springs and other requisites, essential for the location of a Piscicultural farm; the place I consider best adapted, is situated on the east side of Big Cottonwood Irrigation and Navigation Canal, where it crosses the Forest Farm, in Salt Lake County.

I visited the proprietor of the land and consulted with him about obtaining the site for the purpose above named; he stated that 'we should have whatever we needed for the purpose." Under the circumstances, I respectfully request you to visit the location with me as soon as convenient, and determine what further steps should be taken in the premises.

Respectfully submitted,
A. P. Rockwood, Supt.

March 21, 1871.

Directors and Superintendent met at the selected site, and decided to locate the contemplated farm, provided arrangements could be made with the proprietor. We had an interview with him the same evening on the subject, the result of which was, that we should accept the premises, the amount of land, and the price of the same to be determined by the board, and to be paid for in shares of stock of the association.

On the 30th day of March, ground was broke for the excavation of ponds; by the first of May three ponds were in readiness, a dwelling house and other improvements in successful progress.

I had learned from fishermen and others, that trout in this mountainous country went up the stream to spawn

about the first of May; to procure trout for spawning in time, I contracted with a man who resides at the head waters of Silver Creek, a tributary of Weber River, to let me know when the trout began to run up for spawning, which he did on the 11th of May, at 5 o'clock p.m. On the morning of the 12th, at 5 o'clock a. m., I was in transit with several men, teams and apparatus, for taking trout spawners, for the purpose of propagation and cultivation.

We arrived at the head of Silver Creek at 4 p. m.; caught 167 trout that evening, that weighed from one-quarter to one and a half pounds each, placed them in a box having holes in each end, for the ingress and egress of water, while in the stream. Next morning I found about one-half of them dead, through the insufficient supply of oxygen in the water. This was my first practical lesson in fish culture.

Early in the morning of the 13th, I took about fifty small trout, placed them in a box, with the survivors of last night's experience, having placed the box in a position to secure the oxygenized water; a few hours later examined the contents thereof, and found most of my small trout missing. On post mortem examination, found the large trout had swallowed the small ones.

My second lesson was now practically learned. Continued fishing that day, at evening had about two hundred, and at 6 p. m. started for home, and arrived at the farm about daylight. On examination found about ninety per cent. of the fish we had caught were alive and well. I placed the small trout in pond No. 2, and the large ones in pond No. 3, and watched them very carefully, expecting they would soon be spawning, but was doomed to disappointment, for not one of them spawned this season.

What to do I did not know, or where to look for the cause of the failure—at last attributed it to fright in the catching. Still, not being certain this was the right cause, I did not consider my third lesson perfect.

June 8th, 1871, I started for Utah Lake in Utah Co., in pursuit of lake trout for spawners; arrived at the mouth of Provo river at 4 p. m., and made arrangements with Mr. Petty for the lake trout that he could catch in his seine, which was then and there in use. During that even-

ing and next morning, caught seventy-five, each weighing about one pound. Started home at 5 p. m., and arrived at the farm about sunrise. On putting them in the ponds I found about ninety per cent. dead. Some practical knowledge gained in the fourth lesson.

July 7th, 1871, Mr. Seth Green, of Rochester, N. Y., who is acknowledged as the Pioneer of fish culture in America, visited the farm, and reported the waters to be the right temperature, and well adapted to the business.

Three ponds now being in readiness, we found ourselves like a ship at sea, without compass or rudder, and not a star to be seen. Under these circumstances, we concluded to paddle our own canoe to the East, in search of light. To accomplish this, the Directors advised the procuring of small fry, shad, eels, catfish and seed oysters.

On the 8th of July, 1871, I started for the East, in company with Mr. Seth Green, of Rochester, N. Y., who kindly aided me by his counsel and history of his practical knowledge in the science of Pisciculture.

On leaving Rochester, I contracted with him for 1,000 small fry catfish, to be in readiness on my return. On the 12th I continued my journey to Holyoke, on the Connecticut river in Massachusetts. Here I contracted with Mr. Smith for 1,000 small-fry silver eels, and some shad, to be in readiness on my return,

I then proceeded to Boston, Mass., in pursuit of seed oysters. Oystermen informed me that the weather was too warm to ship at present, that the right time would be late in the fall or winter.

I then started for Long Island, N. Y., and contracted for seed oysters, to be shipped with the last emigration company bound for Utah, which was to start about the 1st of November.

At the time appointed, two barrels were ready for shipment at New York. Owing to the weather being unusually warm, at that time, it was deemed unsafe to ship them, accordingly, they were otherwise disposed of, and the money readily returned. These two attempts to obtain oysters proved a failure, also the attempt to import catfish, for on my return to Rochester, Mr. Green had the 1,000

small-fry catfish in readiness. Some of them were already dead, and the remainder died in a few days.

On my return trip, I notified the several parties with whom I had contracted for small-fry, the time of my expected arrival at the previously appointed places.

On my arrival at Holyoke, I found a few shad in readiness, all of which died in transit. There were also 1,000 silver eels in readiness, they stood the journey very well for about three days and a half, when I gave them a change of water from a railroad cistern, after which they died very rapidly, until I arrived at Green River, when I gave them water from this stream, it soon revived them, and no more died in transit.

On my journey east I formed the acquaintance of several Piscatorials, and visited their establishments, where I obtained much valuable information.

The following statement shows the expense incurred between April 1st, 1871, and May 30th, 1872, in the interests of Pisciculture:

Expense of the ponds, including dams and screens	$ 414 96
Expense of procuring spawners	311 60
Expense of dwelling house and outbuildings	1,238 64
Expense for fence, shrubbery and trees	573 02
Expense for tools and apparatus	39 43
Incidental expenses not included in the above	159 00
Total outlay	$2,736 65

May, 1872. It is now spawning time for trout. I am constantly on the watch for them on the spawning beds, but, as in 1871, watched in vain. There are no signs of spawning. No small-fry this year; poor encouragement; untiring patience is nearly exhausted, when to my relief, some friend in Pisciculture sent me a book on fish culture, in which I find a statement that in spawning season the male trout go to the headwaters from four to seven days before the female. This solves the problem, why my trout did not spawn last year and this. I was on the headwaters before the female arrived, consequently, caught nothing but male fish, and none of them would spawn.

I have now learned the third lesson, above referred to, perfectly.

Had I been skilled in the science, I would have known a male fish from a female, but dear-bought experience taught me a good lesson, a lesson that other inexperienced pisciculturists have learned at about the same cost.

Expenses incurred from May 30th, 1872, to May 30th, 1873, in the several departments, are as follows:

Repairs and improvements,	$99.28;	Present cost,	$ 574.24
Fish Stock.....	116.44;	" "	425.04
Dwelling House.....	8.16;	" "	1,246.80
Fence, trees, &c., ...		" "	573.02
Tools and appurtenances.	39.42;	" "	74.68
Incidentals.....	56.50;	" "	215.50
Total.....	$319.80;	Total cost	$3,049.28

I am in receipt of communications from U. S. Fish Commissioner, Professor Baird, and reports from the States, and several of the British Provinces, on fish culture. By request of State Commissioners on fisheries, and Publishers, I herewith copy my last report, as at present it is out of print, hoping it will again be published for the benefit and information of the various piscatorial interests, as follows:

Zion's Co-operative Fish Farm,
Salt Lake County, Utah, Jan. 15th, 1876.

Hons. Wilford Woodruff, Geo. Q. Cannon, and A. M. Musser, Ex-Officio Directors of Zion's Co-operative Fish Farm:

Gentlemen—I herewith submit the second report, as Superintendent of the Piscatorial interests of Utah:

In 1873 I received 40,000 salmon eggs from McCloud River, California, through the politeness of Prof. Baird, U. S. Commissioner of Fish and Fisheries. There was a very successful hatch, the product of which was

turned into the public streams, with the exception of a dozen fish. Those retained spawned in the summer of 1875.

In October, 1874, I received the apportionment for Utah of salmon eggs—200,000—from the United States Commissioner, from which we obtained an extraordinary good hatch, it being about ninety-three per cent. These were, with the exception of a few hundred, put into the tributaries of the Jordan River.

In 1875 I received, from the same source, the Utah apportionment of 160,000 salmon eggs. By estimate, about seventy-five per cent. of these were hatched, which are now on hand, and are about two months old, and ready for distribution in the public waters.

I respectfully suggest that you recommend in your report to the Legislative Assembly, now in session, that when they make provision by law for the distribution of the small fry on hand, that they also make some arrangements for the hatching and distributing of any apportionment that may hereafter be assigned to Utah.

I have promptly complied with the request of the United States Commissioner to forward him a report of the success of the hatch, on each shipment; also giving facts in relation to fish culture in Utah.

I hereby acknowledge the receipt of drafts on the Territorial Treasurer from the Auditor of Public Accounts, for two hundred dollars ($200·00) in part payment for the package, express charges, etc., on eggs received.

In June, 1875, I received a complimentary package of small fry shad of 5,000 from the Hudson River, New York, through the politeness of Mr. Livingston Stone, Deputy United States Fish Commissioner. They arrived in good condition, and were placed in the Jordan River, near Jordan bridge, in Salt Lake City. The following year one was was caught with hook and line; it was about three inches long, and is the only one I have seen or heard of. In June, 1874, I received a barrel of seed oysters and a pair of lobsters, from the Atlantic Coast, through the politeness of the California State Fish Commissioner; they were deposited in five different places in the waters of Great Salt Lake, at points where the fresh water comes in.

Two deposits were made in fresh water, but most if not all, died. Those deposited in salt or brackish water lived for a few weeks, but subsequently all died, supposed to have died from the effects of the deposits from the mountain streams which buried them. I have no knowledge of any of them being preserved.

In July, 1872, I imported to Utah 500 silver eels, taken from the Connecticut River, near Holyoke, Mass. Two of them were seen the Spring following, near where they were deposited. From that time I neither saw or heard anything of them until the Spring of 1875, at which time one of them was caught near the mouth of Provo River. It was about two feet three inches long, and weighed two pounds and ten ounces. It was returned to the stream. Soon after another was found on the shore of Salt Lake, n Davis County, about the same size as the one named iabove; and subsequently a third was found in Jordan River, below Salt Lake City. Many of the salmon which were turned into the public streams, have been seen and caught in Salt Lake County. Putting fish into the public streams is like "casting bread upon the waters, to be found after many days."

I have frequently been in correspondence with Professor Baird and Mr. Stone, on the subject of fish culture, and from them have obtained much valuable information. They express their belief that fish culture in Utah will be a success, as well as in other parts of the Union.

If the Legislative Assembly wish to replenish the depopulated public streams with valuable food fish, the United States Fish Commissioner has proved himself interested on the subject, and is only waiting suitable arrangements on the part of the Legislature to meet the expense of package, express charges, etc., and order of distribution.

Respectfully submitted,

A. P. ROCKWOOD,

Superintendent.

Zion's Co-operative Fish Farm,
Salt Lake County, Utah, Jan. 1st, 1878.

Hons. Wilford Woodruff, George Q. Cannon and A. M. Musser, Ex-Officio Directors of Zion's Co-operative Fish Association:

Gentlemen—I herewith submit my biennial report of the Piscatorial interests of Utah. Two thousand of the small fry salmon, referred to in my last report, dated Jan. 15th, 1876, were deposited in June following, by Wilford Woodruff, in the tributary of Upper Bear River, in Rich County; the remainder in Mill Creek, a tributary of Jordan River, which carries the waters of Utah Lake, in Utah County, to Salt Lake, in Salt Lake County, September, 1876. I received the Utah apportionment of salmon eggs, 50,000, from the U. S. Commissioner on Fish and Fisheries. They were in good order, and were immediately placed in the hatching trough. About twenty per cent of the spawn were unimpregnated. Five per cent of the small fry hatched were cripples. The hatching was completed in twenty days; most of the small fry computed by estimate instead of by count. The distribution was as follows:

We planted in Ogden and Weber Rivers, Weber County,	3,500
In Blacksmith's Fork, a tributary of Lower Bear River, Cache County	8,000
In Box Elder Creek, Box Elder County	4,000
In Twin Spring Creek, Tooele County	2,500
In Silver Creek, Juab County	4,000
In Upper Bear River, Rich County	1,100
In Jennings' Pond, Davis County	1,200
Retained in the ponds on the Fish Farm, Salt Lake City	1,235
Total dispersion	35,435

One can of the fry, shipped to Juab County, was delayed in transit eight hours, in consequence of which ninety per cent. died. Some of the shipments had no dead ones in the cans when planted. Two and a half was the largest per centage reported dead, except the lot shipped to Juab County, as above referred to.

Seven shipments had no dead ones when received at the places of distribution.

On Monday, Nov. 6th, at 6 o'clock a.m., I started my team with 11,000 fry for Rich County; made arrangements previously, by telegraph to Gen. Rich, as contemplated at the last interview with Mr. Woodruff. On the 1st inst., weather very cold in the mountains, traveling bad. Water froze in the cans in a few minutes. Team arrived at Echo at 5 a.m., Tuesday. On arriving at Hanging Fork the teamster concluded that he could not make Evanston at 12 o'clock, noon, the time appointed. He had instructions from me before he started, that if, when he arrived at Echo, the time was too far spent to make Evanston at 12 o'clock, noon, he was to leave the team and take the railroad cars with the freight. At Hanging Rock he left his team and did as I had directed him. He arrived at Evanston at 1 p.m., one hour behind time. He reported that he could neither see or hear from Gen Rich. He left the cans on the platform two hours and a half, then removed them to the river for convenience of changing the water.

Not finding Gen. Rich, at about 5 p.m. he put the fry in Bear River, above the dam. Found but very few dead. At 11 p.m. took the cars for Hanging Rock. Arrived there about 1 o'clock a.m. Wednesday.

I have since learned that Gen. Rich was at Evanston at the time appointed, and looked for the fry at the passenger depot instead of the freight, hence the connection was not made. Nevertheless, the fry was all deposited in the river as contemplated, but not in the several points desired. Sep. 29th, 1877, I received 100,000 salmon eggs from the United States Hatching Station, on McCloud River, California, as Utah's apportionment, by U. S. Commissioner, Professor Baird. They arrived in due time and in good order, and were forthwith deposited in the hatching troughs. Several circumstances intervened which materially affected the hatching and preservation of the small fry; first—the unimpregnated portion of the eggs was about twenty-five per cent; second—a raid of muskrats disturbed the hatching water, which caused a rile that destroyed a portion of the eggs; third—muskrats burrowed through into the hatch-

ing-house, and destroyed a portion of the small fry. The damage sustained in the last six weeks by the muskrats has been far more than the aggregate damage for the last six years. About the 1st of October the muskrats came down the canal by thousands, as though from an inexhaustible source, like the raid of rabbits in Millard County, or the squirrels in Morgan County, or grasshoppers from the north; several hundreds have been trapped or shot in the vicinity. There is more damage done by their burrowing into the ponds, thereby letting the water and fish out, than by what they devour; fourth—one of the hatching troughs sprung a leak, through which many escaped and drifted into the pond below, and perhaps many drifted through the screens, out to the Canal, and from thence into Mill Creek. Of those hatched 2,000 were deposited in the Jennings Pond Davis County; 4,000 were shipped to Box Elder County, but were detained one day in the transit, consequently all died; 16,000 were put in Mill Creek, a tributary of Jordan River, the remainder are in the nursery pond on the farm awaiting further distribution.

The National Government in its apportionment, and works on the subject of fish culture, has taken the lead, and is untiring in extending aid and encouragement to States that are provided with State Commissioners.

The Territorial Government of Utah has not provided by law for fish commissioners, nevertheless, the U. S. Commission has recognized the Superintendent of Zion's Co-operative Fish Association as an agent entrusted with the Piscatorial interests of Utah, and furnished an apportionment of salmon eggs from the U. S. hatching station on the McCloud River, California, from time to time. A report of the several hatches, and distribution of the small fry, has been made to the proper department in Washington, D. C.

It is a conceded fact, that the wild game of a country is the property of the government of that country; as such it is, or should be, under the fostering care and protection of the law. On the landing of the Pilgrims at Plymouth Rock, in Massachusetts, and for more than a hundred years after game and fish were so abundant that the neces-

sity of wholesome laws did not exist as at present; in consequence of this state of things a tradition has been inherited by us that the fish and other game was free booty, consequently, reckless destruction was practiced without any restraint of law.

In the lapse of the last fifty years times have materially changed. Laws should be framed to meet the circumstances; the people should be educated in all the arts and sciences that will help develop the resources of the country. Very little has been done until the last few years to develop and protect the resources of our lakes and streams. It is now demonstrated that an acre of water can produce more food than two acres of land, and with much less cost of labor.

If the waters of Utah Lake, and its tributaries, were stocked to their full capacity the yield would exceed that derived from all animal food raised on the land drained by the tributaries. There is not a spring of water bursting through the foot hills of our lofty mountains, meandering through the barren desert and fruitful fields, but is capable of sustaining many hundred thousand speckled trout and spotted salmon, with a small outlay in constructing private ponds.

The time will come when these numerous springs of water will be turned to a higher account than a mere watering place for stock. The example of the Territory in stocking public waters will be imitated by individuals in stocking private ponds.

The reports in my office show that there are twenty-one States engaged in fish culture. I have no report of any Territory being engaged in Pisciculture, except the Territory of Utah, neither have I heard of any State failing in their efforts. In Utah, as yet, the main burden of expenses has been borne by the Association. By it about four hundred thousand small fry salmon have been planted in the public waters. The amount of aid received from the Territorial Government, up to this date, is four hundred dollars ($400.00).

The law for the construction of fish ways would be sufficient if it was enforced according to the design. Very little notice is taken of it by mill-owners, consequently,

it is practically inoperative. Since the law was repealed constituting the selectmen of each County ex-officio fish commissioners for their respective Counties, and defining their duties, there is no officer specially provided to have charge or jurisdiction in relation to the execution of the laws, hence, the laws are not complied with as they properly would be under the former law, therefore, I respectfully suggest that the law be revived.

The development of the mineral resources of Utah is calculated to materially affect the spawning and maturing of all fish in the streams of mining districts, hence, the more necessity of artificial propagation and planting of small fry in streams not affected by the mining operations.

For your further information concerning the waters of Utah, I extract from a report of Mr. Livingston Stone, United States Deputy Fish Commissioner, made in United States Report on Fisheries for the years 1872-3, page 201:

"No. 11.—Two specimens, Utah mountain trout, young fry. Salt Lake City trout ponds. Hatched artificially. Parents taken in Bear River. Abundant in Bear River and Bear Lake and other cold mountain waters in Utah. Hatched in April—May. Period of incubation very short. August 9, 1872. (See note.)

"The Salt Lake City trout ponds are fed by springs and spring streams, which contain the CLEAREST and PUREST water that I have ever seen. Indeed, in these respects the water is very extraordinary. It will run for six months without depositing sediment or growing fungus. Watercress and other water plants grow in this water with a rankness and luxuriance that is wonderful. Although the water must contain alkali, it is vastly superior to any water that I have ever seen on the Atlantic or the Pacific Slopes for breeding and rearing trout.

"There is a fine lot of the native Utah trout at this establishment, which is confined at present to the hatching and rearing of the native varieties, viz: Utah mountain trout and Utah Lake trout. The place is carried on by the Mormon superintendent of fisheries, Mr. A. P. Rockwood." Respectfully submitted,

A. P. ROCKWOOD,
Supt. of Zion's Co-operative Fish Association.

SATURDAY, JANUARY 26, 1878.

COUNCIL.

Council Chamber,
City Hall, Salt Lake City, Jan. 26, 1878.

Council convened at the regular hour.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Harrington, chairman of the committee on Judiciary, to whom was referred (C. F. 3) "A Bill concerning Divorces," reported the same back amended, and recommended its passage as amended.

The amendments were read, and,

On motion of Councilor Snow, the report of the committee was accepted, and,

The bill taken up on its second reading by sections,

Pending which,

On motion of Councilor Thatcher, it was recommitted to the committee on Judiciary, with instructions to print 75 copies.

Councilor Raleigh presented (C. F. 12), "A Bill to amend An Act to regulate proceedings in Civil Cases, etc.," which was read, and,

On motion of Councilor S. S. Smith, was referred to the committee on Judiciary, with authority, if they deem it expedient, to print 75 copies.

Councilor Snow presented, Petition of James Lewis and 510 other citizens of Kane County, asking that the County Seat of said County be removed from Toquerville to Kanab, which was read, and,

On motion of Councilor Cluff, was referred to the committee on Counties.

Minutes read and accepted.

On motion of Councilor Harrington, the Council adjourned.

Benediction.

HOUSE.

Representatives' Hall,
City Hall, Salt Lake City, Jan. 26, 1878. 2 p.m.

House met as per adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Peterson presented the Financial Report of Sanpete County for the years 1876-7. Referred.

Mr. Spencer presented the Financial Report of Sevier County for the years 1876-7. Referred.

Mr. Spencer presented a bill (H. F. No. 9) "A Bill to organize Irrigating, Mining and Manufacturing Districts." Read the first time, and,

On motion of Mr. Hatch, referred to the committee on Irrigation and Canals.

Mr. Farr, chairman of the committee on Judiciary, reported back C. F. No. 4 with amendments. The amendments were read and adopted.

Mr. Farr presented the following:

Committee Room,
Representatives' Hall, Jan. 26, 1878.

To the Speaker, and Members of the House:

Gentlemen—Your committee to whom was referred C. F. No. 2, "To limit the time within which criminal actions may be commenced," report back said Bill, and recommend the passage of the following amendments: In section 8, in first line, strike out the words "when the" and insert in lieu thereof the words "after an," and in same

line strike out the word "is" and insert in lieu thereof the words "has been," and in second line strike out "is" and insert "be."

LORIN FARR,
Chairman committee on Judiciary.

Amendments read and accepted.

Mr. Murdock presented a bill (H. F. No. 10) "For an Act to repeal Section 388, Title IX, Compiled Laws of Utah." Read the first time, and,

On motion of Mr. Pace, referred to the committee on Judiciary.

On motion of Mr. Carrington, C. F. No. 2 read the second time by its title.

On motion of Mr. Hatch, C. F. No. 2 read the third time by its title.

On motion of Mr. Carrington, C. F. No. 2 passed, and was ordered sent to the Council for their concurrence in the amendments.

Minutes called for and read.

On motion of Mr. Brown, House adjourned till Monday next, at 2 p.m.

Benediction by the Chaplain.

MONDAY, JANUARY 28, 1878.

COUNCIL.

Council Chamber,
Salt Lake City, Jan. 28, 1878.

Council convened at the regular hour.
Roll called. Quorum present.
Prayer by the Chaplain.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Jan. 26, 1878

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—C. F. No. 2, "To limit the time within which Criminal Actions may be commenced," has passed the House, amended as follows: In the first line, Section 8, strike out the words "when the" and insert in lieu thereof the words "after an," and in same line strike out "is" and insert "has been," and in second line strike out the word "is" and insert in lieu thereof the word "be," and the bill is now forwarded to your honorable body for concurrence in the amendments.

Very respectfully,
ORSON PRATT, Sen.,
Speaker, H. R.

Councilor Cluff presented (C. F. 13) "A Bill for An Act to provide for special elections to fill vacancies caused by death, resignation or other disability." The Bill was read, and,

On motion of Councilor Cluff, was referred to the committee on Elections, with authority, if deemed expedient, to print the same.

Councilor Thatcher presented (C. F. 14) "A Bill to amend An Act to incorporate Logan City, approved Jan. 17, 1866." Said Bill was read, and,

On motion of Councilor Thatcher, was referred to the committee on Municipal Corporations and Townsites.

(C. F. 2) "A Bill to limit the time within which Criminal Actions may be commenced," was then taken up, and the House amendments read.

On motion of Councilor Burton, the first two amendments were not concurred in, and a conference committee was asked for, to act with a like committee from the House, to consider said amendments.

The President appointed Councilors S. S. Smith and M. Thatcher said committee.

Councilor S. S. Smith, chairman of the committee on Counties, to whom was referred Petition and Resolution to appoint a commission to define the boundaries between Weber and Morgan Counties, reported the same back with (C. F. 15) "A Bill for An Act appointing a special commission, etc." Said Bill was read.

On motion of Councilor Raleigh, passed its first reading, and taken up on its second reading, amended, and,

On motion of Councilor W. R. Smith passed its second reading.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Jan. 28, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—Messrs. Milner and Farr have been appointed a committee of conference to act, with a like committee from the Council, on C. F. No 2.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Minutes read and accepted.

On motion of Councilor Smoot, Council adjourned.

Benediction.

HOUSE.

Representatives' Hall, City Hall,
Salt Lake City, Jan. 28, 1878. 2 p.m.

House met as per adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Birch presented a Petition from Ashton Nebeker, for payment of $81.00 for certificates of witness fees, disallowed by Auditor of Public Accounts. Read, and,

On motion of Mr. Taylor, referred to the committee on Claims and Appropriations.

Mr. Rockwood presented the Financial Report of Salt Lake County for the years 1876-7. Referred.

The Report of the Recorder of Marks and Brands for the years 1876-7, received, read, and,

On motion of Mr. Milner, referred to the committee on Claims and Appropriations.

The Report of Auditor of Public Accounts concerning clause of Fee Bill regarding the pay of District Clerks in Territorial Criminal cases, read, and,

On motion of Mr. Taylor, referred to the special committee on Investigation of Expenses of Courts.

Mr. Rockwood presented the following report:

Committee Room,
City Hall, Salt Lake City, Jan. 28, 1878.

Mr. Speaker, and Members of the House:

Your committee on Claims and Appropriations, to whom was referred the Petition of J. R. Wilkins, Clerk of Second Judicial District Court, praying for an appropriation to enable him to purchase a set of Record Books for said court, have considered the subject, and respectfully recommend that it be referred to the committee on Revenue, with instructions to bring in a bill, making it the duty of the Auditor to purchase the necessary record books, and other necessaries, for the clerk of the District Court.

A. P. Rockwood, chairman.

Referred to committee on Revenue, with instructions.

Mr. Farr presented a Remonstrance from citizens of Ogden, protesting against the change of boundaries of said city. Read, and,

On motion of Mr. Farr, referred to committee on Municipal Corporations and Townsites.

Mr. Milner presented a Petition from C. D. Johnson,

et al. for an Act amendatory and supplementary to the Charter of Springville City.

On motion of Mr. Milner, referred to the committee on Municipal Corporations and Townsites.

Mr. Smith presented the Financial Report of Morgan County for the years 1876-7. Referred.

On motion of Mr. Milner, H. F. No. 2 was taken up, and pending its second reading,

On motion of Mr. Farr, H. F. No. 2 was made special order for to-morrow.

C. F. No. 4 taken up, and, pending its second reading,

On motion of Mr. Pace, recommitted to the committee on Judiciary, with instructions.

The following communication was received and read:

Salt Lake City, Jan. 18, 1878.

To Hon. Orson Pratt, Speaker,
and Members of the House of Representatives:

Gentlemen—Thinking that perhaps you would like to have access to the various standard works of reference lying on my shelves, I take great pleasure in extending to you the freedom and hospitality of my bookstore, while you remain in the city.

Very respectfully, Yours etc.,
JAMES DWYER.

H F. No. 7, came up for its second reading, and,

On motion of Mr. Farr, laid on the table till called for.

The following message was received from the Council:

Council Chamber,
Salt Lake City, Jan. 28, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council does not concur in your amendments, Nos. 1 and 2, to C. F. 2, and has appointed

Councilors S. S. Smith and M. Thatcher a committee of conference on the part of the Council, to consider said amendments.

Respectfully,
LORENZO SNOW,
President.

On motion of Mr. Smith, the amendments to C. F. No. 2 were not receded from, and a committee of conference was ordered.

The Speaker appointed Messrs. Farr and Milner said committee.

H. F. No. 8 taken up on its second reading, and pending its reading,

On motion of Mr. Atwood, was laid on the table till called for.

Minutes called for and read.

On motion of Mr. Smith, House adjourned till 2 p.m. to morrow.

Benediction by the Chaplain.

TUESDAY, JANUARY 29, 1878.

COUNCIL.

Council Chamber,
Salt Lake Ciry, Jan. 29, 1878.

Council met at the usual hour.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor S. S. Smith, chairman of the Committee of Conference, appointed to consider House Amendments to

(C. F. 2) "An Act to limit the time within which Criminal Actions may be commenced," presented the following report:

Committee Room,
Jan. 29, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—Your Committee of Conference, in connection with a like committee of the House, have agreed to recede from the House amendments to C. F. No. 2, and also recommend that the words "coming within" be inserted in lieu of "return to," in Section 8, and that the bill so pass.

Respectfully,
SILAS S. SMITH.

On motion of Councilor Snow, the report was accepted, and the recommendations of the committee adopted.

Councilor Thatcher presented (C. F. 16) "A Bill to enable Corporations which are or may be formed under the laws of the Territory, to amend their charters, etc," which was read, and,

On motion of Councilor Thatcher, was referred to the committee on General Incorporations, with authority, if deemed necessary, to take into consideration amendments to the General Incorporation Act.

(C. F. 15) "Bill to appoint a special Commission to define boundary line between Weber and Morgan Counties," was taken up on its third reading by its title,

The title read, and,

On motion of Councilor Burton, the Bill so passed, and was sent to the House.

Minutes read and accepted.

On motion of Councilor Thurber, Council adjourned.

Benediction.

HOUSE.

House of Representatives,
City Hall, Salt Lake City, Jan. 29, 1878. 2. p.m.

House met as per adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Gardner presented a Petition from Wm. D. Park, for payment for services in pursuit of escaped convicts, and for an animal by them killed. Read, and,

On motion of Mr. Hatch, referred to the committee on Claims and Appropriations.

Mr. Fisher presented a Petition from J. M. Benedict, *et al.*, to amend Fish and Game laws; read, and,

On motion of Mr. Smith, referred to the committee on Agriculture, Trade and Manufactures

Mr. Atwood presented a Petition from William Lauder and 210 other citizens of Summit County, remonstrating against change of boundaries of Rich County. Read, and,

On motion of Mr. Atwood, referred to the committee on Counties.

H. F. No. 2 was taken up and read by sections, amended, and,

On motion of Mr. Pace, was read the third time by its title, and,

On motion of Mr. Brown, passed.

Title amended to read, "A Bill for amending sections 1151 and 1154 of the Compiled Laws of Utah."

Mr. Farr, chairman of committee on Judiciary, reported back C. F. No. 4 with amendments. Amendments read and concurred in.

On motion of Mr. Pace, C. F. No. 4 was read the third time by its title.

On motion of Mr. Milner, passed, and,

On motion of Mr. Lyman, the title was amended to read, "Amending certain sections of the Compiled Laws of Utah, and extending the Jurisdiction of Justices of the Peace."

The following message from the Council was received and read:

Council Chamber,
Salt Lake City, Jan. 29, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed (C. F. 15) "A Bill for An Act appointing a Special Committee to locate and establish the boundary line between Weber and Morgan Counties in Weber Canyon," and the same is now respectfully forwarded to your honorable body for your action thereon.

Respectfully,
LORENZO SNOW,
President.

C. F. No. 15 was read the first time, and,

On motion of Mr. Farr, was taken up on its second reading pending which,

On motion of Mr. Lyman, was referred to the committee on Counties.

On motion of Mr. Lyman, H. F. No. 7 was made a special order for to-morrow—Wednesday.

Chairman of Committee on Judiciary, Mr. Farr, reported back H. F. No. 1, and,

On motion of Mr Lyman, H. F. No. 1 was laid on the table indefinitely, having been superseded by C. F. No. 4.

On motion of Mr. Pace, House adjourned till 2 p.m. to-morrow.

Benediction.

WEDNESDAY, JANUARY 30, 1878.

COUNCIL.

Council Chamber,
City Hall, Salt Lake City, Jan. 30, 1878.

Council convened at the regular hour.
Roll called. Quorum present.
Prayer by the Chaplain.
The following communication was received and read:

Representatives' Hall,
Salt Lake City, Jan. 30, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed H. F. No. 2, "Amending Sections 1151 and 1154 of the Compiled Laws of Utah," and respectfully forwards the same for your action thereon.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Said Bill was read, and,

On motion of Councilor Harrington, passed its first reading, and,

On motion of Councilor Thatcher, was taken up on its second reading, by sections. Pending the reading of the second section,

On motion of Councilor Burton, the bill was referred to the committee on Judiciary, with authority to report amendments.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Jan. 30, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The recommendations of the Conference Committee, on C. F. No. 2, "To limit the time within which Criminal Actions may be commenced," have been adopted, and amendments concurred in.

Very respectfully,
ORSON PRATT, Sen,,
Speaker.

Minutes read and accepted.

On motion of Councilor Burton, Council adjourned.

Benediction.

HOUSE.

Representatives' Hall,
City Hall, Salt Lake City, Jan. 30, 1878. 2 p.m.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Hatch presented a Petition from H. S. Eldredge, Wm. Jennings and Sons, Walker Brothers, *et al.*, for an Act to licence commercial travelers. Read, and,

On motion of Mr. Hatch, referred to the committee on Agriculture, Trade and Manufactures.

Mr. Rockwood presented a Petition from A. M. Muser and 75 others, for a Law authorizing the destruction of foul brood in bees. Read, and,

On motion of Mr. Rockwood, referred to the committee on Agriculture, Trade and Manufactures.

The following communication was received from the Council.

Council Chamber,
Salt Lake City, Jan. 30, 1878.

Hon. Orson Pratt Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Committee of Conference, appointed to consider amendments to C. F. 2, having made the enclosed report, and the Council having adopted their recommendations, the Bill is now forwarded for your action on said report and proposed amendment to Section Eight.

Respectfully,
LORENZO SNOW,
President.

Amendments read and concurred in.

Mr. Hatch moved the following:

I move that the thanks of the House be tendered to Mr. James Dwyer, for the courtesy extended in offering the freedom of his library and books of reference to the Members during its present session.

A. HATCH.

Carried unanimously.

Mr. Milner, chairman of committee on Judicial Expenses, reported the following:

To the Hon. Orson Pratt Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Judicial Expenses ask leave to present the following special report:

We have been diligently engaged in eliciting facts as required by you, and have received evidence tending to show, among other things, that certain expenses pertaining to the Penitentiary, and the convicts there incarcerated, have been paid by the United States in part, and in part are now due and owing, and in some cases are claimed to

be a charge against the Territory of Utah, and in other cases have been paid by the United States Marshal out of funds rightfully belonging to the Territory; your committee is not advised as to the law authorizing such payment, and find it impracticable to enquire into this class of expenses without being more or less compelled to ascertain the extent of payments made by the United States. Your committee further report that on the 29th inst. Patrick H. Lannan appeared, in answer to subpœna issued by your committee, and asked for time to ascertain the powers of your committee, and his rights as a citizen in this regard, before testifying. The committee continued the examination of Mr. Lannan until 10 o'clock of this 30th day of January, when said Lannan was duly sworn, and testified as follows, in answer to our questions:

"I am 37 years of age, reside in Salt Lake City; by occupation a butcher. I have furnished supplies to the Utah Penitentiary during the last two years."

Question by chairman of committee:

"State fully the amount of supplies furnished by you to the Utah Penitentiary during the two years last past."

Answer. "I do not recognize the right of this committee to enquire into any business of mine with the Penitentiary, as I regard such business as belonging to the United States Government. I do not desire to be in contempt and would be willing to answer your questions, but I am advised not to do so, and decline to answer."

Question. "Have those supplies been paid for by the United States?"

Ans. "Yes."

At this point the further examination of Mr. Lannan was continued until to-morrow.

Your committee desire to be instructed to what extent we shall proceed with our inquiries when we find the matter inquired upon to be so closely connected with disbursements made by the United States, that we cannot obtain the information as to the disbursement of Territorial funds without inquiring into the whole matter.

Your committee further desire, that in the event that you decide that we should inquire fully into all the circumstances attending any expenditure of what we believe to be funds belonging to the Tetritory, that the recusant witness, P. H. Lannan. be brought before the bar of the House, to show cause, if any he has, why he should not be punished for contempt, in refusing to answer the question propounded to him by your committee.

JOHN B. MILNER,
Chairman of Committee on Judicial Expenses.

Committee Room, House of Representatives, January 30, 1878.

Report read, and
Mr. Preston moved the following;

I move that the Special Committee be instructed to continue their inquiries so far as relates to Territorial expenses of District Courts, and that when any witness declines to testify, on the ground of the enquiry being as to matters exclusively pertaining to the United States, that they excuse the witness, and include the names of all such witnesses in their subsequent report, with the questions asked.

WM. B. PRESTON.

Which was carried.

H. F. No. 7, the Revenue Bill, was taken up on its second reading by sections, and pending the reading of Section 5.

Minutes called for and read.

On motion of Mr. Pace, House adjourned till 2 p.m. to-morrow.

Benediction.

THURSDAY, JANUARY 31, 1878.

COUNCIL.

Council Chamber,
Salt Lake City, Jan. 31, 1878.

Council convened at the regular hour.
Roll called. Quorum present.
Prayer by the Chaplain.
The following communication was received and read:

Representatives' Hall,
Salt Lake City, Jan. 30, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed C. F. No. 4, "To amend certain sections of the Compiled Laws of Utah herein named," with amendments, and the same is now returned to you for your concurrence in the amendments.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

The amendments to said Bill were then read, and,

On motion of Councilor Burton, the Council non-concurred in House amendments to Sections 1990, and,

On motion of Councilor Harrington, the other amendments were concurred in, and the House was notified accordingly.

Councilor Harrington, chairman of committee on Judiciary, presented the following report:

Committee Room, Jan. 31, 1878.

Mr. President, and Gentlemen of the Council:

The committee on Judiciary, to whom was referred (H. F. No. 2) "A Bill for an Act amending Sections 1151 and 1154, of the Compiled Laws," have had the same under consideration, and respectfully recommend that the amendment made by the Council be reconsidered, and that the Bill be passed as it came from the House.

L. E. HARRINGTON, chairman.

On motion of Councilor Thatcher, the report was accepted, the amendments reconsidered and receded from.

The Bill was then read, and,

On motion of Councilor Thurber, passed its second reading, and,

On motion of Councilor Smoot, was read the third time by its title.

The title read, and the Bill so passed, and was returned to the House.

Councilor Thatcher, chairman of the committee on Mineral Resources, presented the following report:

Committee Room, Jan. 31, 1878.

Hon. Lorenzo Snow, President,
and Members of the Legislative Council:

Gentlemen—The committee on Mineral Resources, to whom you referred (C. F. No. 8) "A Bill for an Act providing for the health and safety of persons employed in coal mines," beg leave to report the same with amendments, and recommend its passage as amended.

Very Respectfully,
M. THATCHER,
Chairman of Committee.

On motion of Councilor Burton, report was accepted.

Said Bill as amended was then taken up on its second reading by sections, further amended, and,

On motion of Councilor W. R. Smith, the Bill passed

its second reading as amended.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Jan. 31, 1878.

Hon Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House recedes from the House amendments to C. F. No. 4, not concurred in by the Council, and said Bill is now returned for enrollment.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Minutes read and accepted.

On motion of Councilor Thatcher, Council adjourned.

Benediction.

HOUSE.

Representatives' Hall,
City Hall, Salt Lake City, Jan. 31, 1878. 2 p.m.

House met as per adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Murdock presented a Bill (H. F. No. 11) for An Act amendatory of and supplementary to the Charter of Beaver City.

Read the first time by its title, and,

On motion of Mr. Hatch, referred to the committee on Municipal Corporations and Townsites.

Mr. Birch presented a Bill (H. F. No. 12) for an Act in relation to Chattel Mortgages. Read first time by its title, and,

On motion of Mr. Smith, referred to committee on Judiciary.

Mr. Lyman presented a Petition from the Utah Mu-

tual Tunnel and Silver Mining Company. for grant of a charter to a mining road in Markham's Fork, Bingham Canyon, West Mountain Mining District. Read, and,

On motion of Mr. Farr, referred to the committee on Private Incorporations.

Mr. Pace reported the following:

Committee Room, Jan. 31, 1878.

Mr. Speaker, and Members of the House:

Your committee on Counties, to whom was referred C. F. 15) "A Bill for an Act appointing a Special Commission to locate and establish the boundary line between Weber and Morgan Counties, in Weber Canyon," have had the same under consideration, and report the same back amended, by striking out all after the words "Jesse W. Fox," in the 4th line, and insert the accompanying amendment; also to change the title to read as marked.

W. B. PACE, chairman.

Amendments read and concurred in.

(C. F. 15) "For a commission to declare the boundaries of Davis and Morgan Counties in Weber Canyon," was taken up on its second reading, and,

On motion of Mr. Milner, recommitted to the committee on Counties, with instructions.

(H. F. No. 7) "Revenue Bill," taken up on its second reading by sections.

Mr. Preston moved the following:

I move that that portion of Sections 1 and 35, of (H. F. No. 7) "Revenue Bill," referring to tax for District Schools, and Sections 591 and 592, Compiled Laws of Utah, of "An Act for the establishment and support of District Schools and for other purposes," approved Feb. 18, 1876, be referred to the committee on Education, with instructions to report at an early date.

W. B. PRESTON,

Which was carried.

The following message was received from the Council:

Council Chamber,
City Hall, Salt Lake City, Jan. 13, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council does not concur in your amendments to C. F. 4, which amend Section 1990 of Compiled Laws of Utah, but has concurred in the other House amendments to the Bill.

Respectfully,
LORENZO SNOW,
President.

On motion of Mr. Brown, the amendment not concurred in by the Council was receded from by the House.

The following communication was received from the Council:

Council Chamber,
City Hall, Salt Lake City, Jan. 31, 1878.

Hon. Orson Pratt Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed (H. F. No. 2) "Amending Sections 1151 and 1154, of Compiled Laws of Utah, etc.," and the same is now respectfully returned for enrollment.

Respectfully,
LORENZO SNOW,
President.

The reading of H. F. No. 7 continued, and pending reading Section 10,

Minutes read and accepted.

On motion of Mr. Pace, House adjourned till 2 p.m. to-morrow.

Benediction by the Chaplain.

FRIDAY, FEBRUARY 1, 1878.

COUNCIL.

Council Chamber,
Salt Lake City, Feb. 1, 1878.

Council convened at the regular hour.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor E. Snow presented Petition of Bishop Edward Hunter, Miss Eliza R. Snow, and 26 others, asking for an appropriation of $1,500.00 to aid in the manufacture of silk, which was read, and,

On motion of Councilor Snow, was referred to the committee on Claims and Appropriations, with instructions to incorporate the amount in the Territorial Appropriation Bill.

Councilor Thurber presented Petition of Joseph H. Wright, and 21 others, asking a change in the South boundary line of Sevier County, together with (C. F. 17) "A Bill to change the boundary line between Sevier and Piute Counties, which was read, and,

On motion of Councilor Thurber, referred to the committee on Counties.

Councilor Snow presented Petition of Wm. A. Bringhurst, and 43 others, citizens of Kane County, asking that the western portion of Kane County be attached to Washington County, which was read, and,

On motion of Councilor Snow, was referred to the committee on Counties.

Councilor Smoot presented the following:

Mr. President—I beg leave to introduce a Bill, to secure justice to persons called to render jury service in the

District Courts of this Territory, and equalize the burden of such duties," and ask that it be read, and referred to the committee on Judiciary.

A. O. SMOOT.

Said Bill, (C. F. 18) was read, and,

On motion of Councilor Burton, was referred to committee on Judiciary, with instructions to print 75 copies.

Councilor Thatcher presented the following:

Mr. President—Owing to the absence of one of the members of your committee on Education, I move that W. W. Cluff be added to that committee.

(Signed) M. THATCHER, chairman.

Carried.

Minutes read and accepted.

On motion of Councilor Thatcher, Council adjourned till Monday, at the regula hour.

Benediction.

HOUSE.

Representatives' Hall, City Hall,
Salt Lake City, Feb. 1, 1878. 2 p.m.

House met as per adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Rockwood reported the following:

Committee Room, Salt Lake City, Feb. 1, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Claims and Appropriations, to whom was referred a communication of Wm. Clayton, representing that $200.00 will be required to

print brand-sheets during the next two years, and as there is $25.00 unexpended of the last appropriation, we recommend that the sum of $175.00 be placed upon the present Appropriation Bill, for the purpose of printing brand-sheets.

Your committee also report back to the table, Petition of Benjamin A. Spear, for service as Bailiff in Second Judicial District, and recommend that it be not paid, as he was not employed by the Territory.

Your committee also report back to the table, Bill of John M. Coombs, for $107.00, and recommend that it be not paid by the Territory.

Your committee also report back to the table, Petition of Wm. D. Park, asking for relief in the sum of $170.00, and recommend that it be not paid by the Territory.

Your committee further recommend that those who presented the Petitions of B. A. Spear and Wm. D. Park, and Bill of John M. Coombs, be allowed to withdraw them from the table.

Respectfully,
A. P. Rockwood, chairman.

Report adopted.

Mr. Young presented a Bill (H. F. No. 13) for an Act "To approve the Compiled Laws of Utah."

Read the first time, and,

On motion of Mr. Milner, referred to the committee on Judiciary.

Mr. Lyman moved the following:

Mr. Speaker—I move that the Sergeant-at-Arms be instructed to purchase one copy of Webster's Unabridged Dictionary, and one copy of the Revised Statutes of the United States, on General Laws, for the use of the Assembly, and that after the adjournment of this session, the book be placed in the Utah Library for the use of the public and future Legislative Assemblies.

F. M. Lyman.

Which was carried.

Mr. Birch presented a Bill (H. F. No. 14) for an Act

to amend "An Act for regulating proceedings in Civil Cases," approved Feb. 17, 1870.

Read the first time, and,

On motion of Mr. Milner, referred to the committee on Judiciary.

(H. F. No. 7) "Revenue Bill," taken up at Section 10, on its second reading, and pending the reading of Section 15,

Minutes read and approved.

On motion of Mr. Pace, House adjourned till 7 p.m.

Benediction by the Chaplain.

Representatives' Hall,
City Hall, Salt Lake City, Feb. 1, 1878. 7 p.m.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

(H. F No. 7) "Revenue Bill," taken up on its second reading at Section 15, and pending the reading of Section 23,

Minutes called for and read.

Mr. Milner presented the following report:

Representatives' Hall, Feb. 1, 1878.

Mr. Speaker, and Members of the House:

Gentlemen—The Enrolling committee of this House report that they have this day forwarded to the Governor, (H. F. No. 2) "Amending Sections 1151 and 1154 of the Compiled Laws of Utah," for his action thereon.

JOHN B. MILNER, chairman.

On motion of Mr. Pace, House adjourned till 10 a.m. to-morrow.

Benediction.

SATURDAY, FEBRUARY 2, 1878.

HOUSE.

Representatives' Hall,
City Hall, Salt Lake City, Feb. 2, 1878. 10 a.m.

House met as per adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Webster presented a Petition from Homer Duncan, and 25 others, for statutary enactment providing for the destruction of foul brood in bees.

Referred to the committee on Agriculture, Trade and Manufactures.

Mr. Lyman presented the Financial Report of Tooele County, for the years 1874-5-6-7. Referred.

(H. F. No. 7) "Revenue Bill," was taken up on its continued second reading, pending which,

On motion of Mr. Carrington, it was recommitted to the Revenue committee, and Messrs. Milner and Pace were added to said committee for the consideration of said Bill.

(H. F. No. 8) "The registration of voters," etc., was taken up for its second reading at Section 4.

On motion, H. F. No. 8 was recommitted to the committee on Elections, and Messrs. Carrington and Milner were added to said committee.

Mr. Murdock presented a Petition from T. R. King *et al.*, for removal of County Seat of Piute County from Mary'svale. Referred to the committee on Counties.

Mr. Murdock presented a Petition from C. E. Bolton

et al., asking for an appropriation of $3,000 for making road through Piute and Sevier Counties.

On motion of Mr. Murdock, referred to committee on Roads, etc.

On motion of Mr. Birch, the Revenue committee were instructed to consider the expediency of incorporating into the Revenue Bill a *per capita* tax on dogs.

Minutes called for and read.

On motion of Mr. Pace, House adjourned till 2 p.m. on Monday next.

Benediction by the Chaplain.

MONDAY, FEBRUARY 4, 1878.

COUNCIL.

Council Chamber,
Salt Lake City, Feb. 4, 1878.

Council convened pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Thurber presented the Petition of Ephraim Powell, asking that his name be changed to Ephraim Brettel Bolton, which was read, and,

On motion of Councilor Thurber, was referred to the committee on Petitions and Memorials.

The following communication was received and read:

Utah Territory.
Executive Office, Salt Lake City, Feb. 4, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—I respectfully refer to you the accompanying documents and communication, from the Department of Agriculture at Washington, relating to the Paris Exposition of 1878, for your information and such action as you may deem advisable to take in the matter.

You will see that the people of Utah are invited to contribute such specimens of their agricultural products as they may desire, and also that they will be taken to Paris, free of charge, by the Government, in season for the coming Exposition. The Commissioner should be made aware of the conclusion which you may arrive at, immediately, as the time is very limited in which to make the necessary arrangements for this Department.

Very respectfully,
GEO. W. EMERY.

The documents were then read, and,

On motion of Councilor Thurber, were referred, together with the Governor's communication, to the committee on Agriculture, Trade and Manufactures.

Councilor Raleigh presented Communication of O. H. Riggs, ex-Superintendent of Common Schools, asking an Appropriation to defray certain expenses, which was read, and,

On motion of Councilor Raleigh, was referred to the committee on Claims and Appropriations.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 4 1878

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—A communication has been received from His Excellency Governor Emery, announcing his approval, on the 2nd inst., of (H. F. No, 2) "An Act

amending Sections 1151 and 1154 of the Compiled Laws of Utah."

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Councilor A. R. Smith presented (C. F. 19) "A Bill for an Act for the solemnization of Marriage," which was read and,

On motion of Councilor Smith, was referred to the committee on Judiciary.

On motion of Councilor Raleigh, (C. F. 8) "A Bill to provide for the safety of persons employed in Coal Mines," was taken up and read the third time by its title, the title read, and,

On motion of Councilor Cluff, the Bill so passed, and was sent to the House.

Councilor Harrington, chairman of the committee on Judiciary, to whom was referred (C. F. 11) "A Bill to regulate the mode of procedure in Criminal Cases," reported the same back with amendments. Said Bill was taken up on its second reading by sections as amended, the Bill further amended, and pending the reading,

On motion of Councilor Smoot,

Minutes were read and accepted, and Council adjourned.

Benediction.

HOUSE.

Representatives' Hall,
Salt Lake City, Feb. 4, 1878. 2 p.m.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received from Governor Emery:

Executive Office,
Salt Lake City, Feb. 2, 1878.

Hon. Orson Pratt, Sen.,
Speaker of the House of Representatives:

Sir—I have the honor to inform you that (H. F. No. 2) entitled "An Act amending sections 1151 and 1154 of the Compiled Laws of Utah," has been received and is this day approved by me.

Very respectfully,
GEO. W. EMERY,
Governor.

The following communication from the Auditor of Public Accounts was received and read:

Hon. Orson Pratt, Sen., Speaker,
and Members of the Legislative Assembly:

Gentlemen—I hereby present to your honorable body a condensed report, as extracted from the report of the Territorial Librarian, furnished me this day, to wit:

Number of Books in the Library, as per catalogue	2,954
Books loaned and not returned during 1876-7	139
Books worn out and laid by for repairs	29
Books with and without numbers, on all subjects, Governmental, Scientific, etc., on appendix, not on catalogue	2,873
Total	5,995

Maps, Globes, and Phrenological Busts, the number as formerly reported.

By referring to the Librarian's Report, January, 1876, page 111, Journal 22nd Session, it will be seen that during the years 1874-5, 156 books were loaned out and not returned, and there is no evidence that they are yet returned. This makes nearly 300 volumes lost to the Territory during the past four years. The experience of the Librarian is, that Section 130 of the Compiled Laws of Utah, especially in regard to collecting fines, is inoperative.

would respectfully suggest, for your consideration, the propriety of amending the Act approved March 6th, 1852, "An Act in relation to Utah Library," Compiled Laws, page 108, so as to authorize the Librarian to require a deposit of the full value of the book, for all books loaned out to irresponsible persons.

The Librarian reports a number of Juvenile books worn out and laid aside for repairs. The expense of repairing said books would be more than the first cost.

The Librarian further reports that he has not received any books from either Washington City, or from any of the States or Territories during the last two years. If any books have been forwarded to the Territory during said time, they have gone where the Librarian knows not.

The Financial Statement of the Librarian is as follows:

Balance on hand from appropriation of 1874	$ 57.20
Unexpended appropriation for 1874-5, as per Auditor's Report	575.00
Total	$ 632.20

DISBURSEMENTS.

Paid Salt Lake City Corporation, rent for the years 1876-7	$ 400.00
Paid John Lyon's Bill, for fuel, cleaning rooms, etc.,	20.00
Total	$ 420.00
Balance unexpended	212.20
Which is divided as follows:	
Appropriation, Feb., 1876, not drawn	$ 175.00
Auditor's Warrants, in hands of Librarian	37.20

WILLIAM CLAYTON,
Auditor of Public Accounts.

Salt Lake City, Feb. 2nd, 1878.

On motion of Mr. Birch, referred to the committee on Library.

Mr. Sharp presented a Petition from Martin Florida, asking relief for services in pursuing and capturing Kelly, escaped.

Referred to the committee on Claims and Appropriations.

Mr. Birch presented the Financial Report of Washington County for the years 1876-7. Referred.

Mr. Brown presented a Petition from David Evans, *et al.*, of Utah County, for an Act amending the Charter of Lehi City.

Referred to the committee on Municipal Corporations and Townsites.

Mr. Spencer presented a Petition from Tarlton Lewis and 100 others, praying for the Incorporation of Richfield, Sevier County.

Referred to committee on Municipal Corporations and Townsites.

Mr. Milner presented a Bill (H. F. No. 15) "For an Act to punish frauds in sampling, assaying, buying and selling ore and bullion."

Read the first time, and,

On motion of Mr. Birch, referred to the committee on Mineral Resources.

Mr. Atwood presented a Bill "(H. F. No. 16) "For an Act in relation to smelters," etc.

Read the first time, and,

On motion of Mr. Rockwood, referred to committee on Mineral Resources.

Minutes called for and read.

On motion of Mr. Pace, House adjourned till 2 p.m. to-morrow.

Benediction by the Chaplain.

TUESDAY, FEBRUARY 5, 1878.

COUNCIL.

Council Chamber,
Salt Lake City, Feb. 5, 1878.

Council convened at the regular hour.
Roll called. Quorum present.
Prayer by the Chaplain.
Councilor Smoot presented the following:

Committee Room, Feb. 5, 1878.

To Hon. Lorenzo Snow, President,
and Members of the Legislative Council:

Gentlemen—Your committee on Municipal Corporations and Townsites, to whom was referred (C. F. 14) "To amend an Act to incorporate Logan City," ask leave to report the same back without amendments, and recommend that it be called up in its order, and put on its passage.

A. O. SMOOT, chairman.

On motion of Councilor Callister, the report was accepted and the Bill laid on the table accordingly.

The second reading of (C. F. 11) "Bill to regulate the mode of procedure in Criminal Cases," was resumed, pending which,

Minutes were called for, read and accepted.

On motion of Councilor Raleigh, Council adjourned till 10 a.m. to-morrow.

Benediction.

HOUSE.

Representatives' Hall,
Salt Lake City, Feb 5, 1878. 2 p.m.

House met as per adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Rockwood presented a Petition from Seymour B. Young, M. D., J. F. Hamilton, M. D., *et al.*, for the establishment of charitable, industrial, and reformatory institutions in the Territory of Utah.

Read, and,

On motion of Mr. Rockwood, referred to the committee on Education.

Mr. Rockwood presented a Petition from W. B. Dougal, Manager of Deseret Telegraph Company, for payment of $70.40, telegraphing done, on account of the late Territorial School Superintendent, Robt. L Campbell. Read, and,

On motion of Mr. Murdock, referred to the committee on Claims and Appropriations.

Mr. Taylor, Superintendent of Territorial District Schools, presented his Report for the years 1876-7, which was read, and the following motion thereon was carried:

I move that 2,000 copies of the Report of the Territorial Superintendent of District Schools be printed, and also the same number of School Laws, as they shall be revised at the close of the Legislative Session. That a sufficient number of the report be immediately printed for the use of this Legislative body, and that when completed with the addition of the School Law, as revised, a copy shall be forwarded to each County Superintendent of District Schools, to the Trustees and Teachers of District Schools, and 20 copies each to each County Court for distribution among the officers of the several counties,

and that the remainder be disposed of by the Territorial Superintendent of District Schools.

W. B. PACE.

The following communication from the Auditor was received:

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—Herewith please find report of the President of the Deseret Agricultural and Manufacturing Society for the two years ending Dec. 31, 1877, from which it will be learned that the Society has paid all its indebtedness, and has a balance in the Treasury amounting to nearly fifteen hundred dollars.

The vouchers mentioned in the financial exhibit, on page 3, have been compared with the statement, and found correct. Said vouchers are on file in this office.

Very respectfully,
Your obedient servant,
WM. CLAYTON,
Auditor of Public Accounts.

Salt Lake City, Feb. 5, 1878.

On motion of Mr. Milner, the Report of the D. A. & M. Society was referred to the committee on Agriculture, Trade and Manufactures.

Mr. Rockwood reported the following:

Committee Room, City Hall, Feb. 5, 1878.

Mr. Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Municipal Corporations, to whom was referred "Bill for an Act amendatory of and supplementary to the charter of Beaver City, have attended the duties assigned us, and submit a substitute for said Bill, and recommend its passage.

A. P. ROCKWOOD, chairman.

On motion of Mr. Rockwood, said substitute Bill (H. F. No. 17) was laid on the table till called for.

Mr. Lyman, chairman of the committee on Revenue, to whom was recommitted (H. F. No. 7) "Revenue Bill," reported a substitute Bill, (H. F. No. 18.)

(H. F. No. 18) "Substitute Revenue Bill," read the first time, accepted, and ordered printed.

Mr. Preston presented the Financial Report of Cache County for the years 1876-7. Referred.

The following communication was received from the Council:

Council Chamber,
Salt Lake City, Feb. 5, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The accompanying Bill (C. F. 8) for "An Act providing for the health and safety of persons employed in coal mines," having passed the Council, the same is now respectfully forwarded to your honorable body for your action thereon.

Respectfully,
LORENZO SNOW,
President.

C. F. No. 8 read the first time, and laid on the table.

A communication from O. H. Riggs, Esq., late Territorial Superintendent of District Schools, setting forth services performed by him beyond those prescribed by law, was read, and,

On motion of Mr. Taylor, the document was ordered to be printed, in connection with the Report of the Territorial Superintendent of District Schools.

Mr. Preston reported the following:

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Mineral Resources, to whom was referred (H. F. 15) "An Act to punish frauds in sampling, assaying, buying and selling ore and

bullion," beg leave to report the same back with amendments, and recommend that it pass as amended.

Respectfully,
WM. B. PRESTON, chairman.

Amendments read and adopted.

On motion of Mr. Wright, Messrs. Birch and Sharp were added to the committee on Private Incorporations, to act on the Petition of Utah Mutual Tunnel and Mining Company.

Minutes called for and read.

On motion of Mr. Preston, House adjourned till 10 a.m. to-morrow.

Benediction by the Chaplain.

WEDNESDAY, FEBRUARY 6, 1878,

COUNCIL.

Council Chamber,
Salt Lake City, Feb. 6, 1878. 10 a.m.

Council convened pursuant to adjournment.
Roll called. Quorum present.
Prayer by the Chaplain.
Councilor Smoot presented the following;

Mr. President—I ask leave to introduce a Bill for an "Act Supplementary to an Act creating the office of se-

lectman, etc.," and move its reference to the committee on Judiciary.

A. O. SMOOT.

Said Bill, (C. F. 20) was then read, and,

On motion of Councilor Smoot, was referred to the committee on Judiciary, with instructions to print 75 copies.

On motion of Councilor Thatcher, (C. F. 14) "To amend the charter of Logan City," was taken up and read the second time by sections, and amended, and,

On motion of Councilor Thatcher, passed its second reading.

On motion of Councilor Smoot, by consent of the Council, the Bill was read the third time by its title, the title read, and the Bill so passed, and was sent to the House for their action.

Councilor Smoot presented (C. F. 21) "A Bill for an Act amending Section 180 of Civil Practice Act," which was read, and,

On motion of Councilor Smoot, was referred to committee on Judiciary, with instructions to print 50 copies.

The second reading of (C. F. 11) "Criminal Procedure Act," was then resumed, pending which, Council took recess till 2 p.m.

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2 p.m.

Council resumed its session.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 6, 1878.

Hon. Lorenzo Snow, President;
and Members of the Council:

Gentlemen—[C. F. No. 8] "For an Act providing for the health and safety of persons employed in coal mines," has passed the House, with amendments, and said

amendments are respectfully submitted for your concurrence.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Said amendments were read, and,

On motion, all the amendments were concurred in, and the House notified.

The reading of [C. F. 11] "Criminal Procedure Act," was resumed. Pending the reading of title nine,

On motion of Councilor Burton, the minutes were called for.

Minutes read and accepted.

On motion of Councilor Harrington, Council adjourned till to-morrow at the regular hour, 2 p.m.

Benediction.

HOUSE.

Representatives' Hall,
Salt Lake City, Feb. 6, 1878, 10 a.m

House met as per adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

[C. F. No. 8] "Providing for the health and safety of persons employed in coal mines," was taken up on its second reading by sections.

Was read, amended, and,

On motion of Mr. Lyman, was read the third time by its title, and,

On motion of Mr. Carrington, passed.

The following message was received from the Council:

Council Chamber
Salt Lake City, Feb. 6, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The accompanying Bill [C. F. 14] "Bill to amend an Act to Incorporate Logan City," approved Jan. 17, 1876, having passed the Council, we now respectfully forward the same to your honorable body for your action.

Respectfully,
LORENZO SNOW,
President.

(C. F. No. 14) read the first time.

On motion of Mr. Atwood, it was read the second time by its title.

On motion of Mr. Preston, read the third time by its title.

On motion of Mr. Farr, it was referred to committee on Municipal Corporations and Townsites.

On motion of Mr. Sharp, House adjourned till 2 p.m.

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2 p.m.

House convened as per adjournment.

Roll called. Quorum present.

[H. F. No. 15] was taken up on its second reading by sections, pending which, it was referred to a special committee, consisting of Messrs. Pace, Milner, Birch and Preston.

[H. F. No. 17] "Amendatory of and supplementary to the charter of Beaver City," was adopted as substitute to H. F. 14, read the first time, taken up on its second reading by sections, pending which, it was recommitted to committee on Municipal Corporations and Townsites, with instructions.

On motion of Mr. Atwood, Mr. Lyman was added to said committee.

The following message was received from the Council:

Council Chamber,
Salt Lake City, Feb. 6, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—I have the honor to announce that all your amendments to [C. F. 8] "Bill providing for the health and safety of persons employed in coal mines," are concurred in by the Council.

Respectfully,
LORENZO SNOW,
President.

On motion of Mr. Sharp, House adjourned till 10 a.m. to-morrow.

Benediction by the Chaplain.

THURSDAY, FEBRUARY 7, 1878.

COUNCIL.

Council Chamber,
Salt Lake City, Feb. 7, 1878.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Smoot, in behalf of the committee on Elections, presented the following report:

Committee Room, Feb. 6, 1878.

Hon. Lorenzo Snow, President,
and Gentlemen of the Council:

Your committee, to whom was referred (C. F. 13) "A Bill for an Act to provide for Special Elections, etc.," report

the same back with certain amendments noted therein, and ask that it be put on its passage.

A. O. SMOOT,
In behalf of committee.

The Bill was taken up on its second reading, as amended, pending which.

On motion of Councilor Burton, the Bill was recommitted, with instructions to the committee to take into consideration the incorporation of an additional amendment.

Councilor Burton presented the following motion:

I move that the Territorial Auditor of Public Accounts be requested to furnish the Council, for the use of the committee on Education, copies of reports from the Secretary and Treasurer of the University of Deseret, for the years 1876-7, as contemplated in section 585, Compiled Laws.

R. T. BURTON.

Carried.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 7, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has had in hearing and under consideration the report of the Territorial Superintendent of District Schools, and has proposed to print 2,000 copies thereof, and now respectfully forward said proposition for your concurrent action thereon.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

On motion of Councilor Thurber, the action of the House was concurred in.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 7, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—Messrs. Atwood and Webster have been appointed a committee on the part of the House, to act in

conjunction with a committee on the part of the Council, to examine the redeemed Auditor's Warrants in the possession of the Treasurer, and cancel or destroy them.

Very respectfully,

ORSON PRATT, SEN.,

Speaker.

On motion of Councilor Thatcher, a committee was appointed to act on the part of the Council with said House committee in examining the redeemed Auditor's Warrants.

The President appointed Councilors Thatcher and Thurber said committee.

The report of the Territorial Superintendent of District Schools was then read to the Council.

Councilor Thatcher presented the following report:

Committee Room, City Hall, Feb. 7, 1878.

Hon. Lorenzo Snow, President,

and Members of the Council:

Gentlemen—Your committee on Education, to whom was referred (C. F. 9) a "Bill to authorize and regulate the adoption of children," beg leave to report the same back with amendments, and recommend its passage in the order thereof.

Very respectfully,

M. THATCHER, chairman.

On motion of Councilor Callister, the report was accepted.

The Bill was then taken up on its second reading as reported, and,

On motion of Councilor Burton, passed its second reading.

Minutes read and accepted.

On motion of Councilor Thatcher, Council adjourned till to-morrow at 2 p.m.

Benediction.

HOUSE.

Representatives' Hall,
Salt Lake City, Feb 7, 1878. 10 a.m.

House met as per adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Sharp presented a Petition from the Utah Rifle Association. Referred to the committee on Militia.

On motion of Mr. Smith, the action of the House providing for the printing of 2,000 copies of the report of the Territorial Superintendent of District Schools, was forwarded to the Council for concurrence therein.

Mr. Lyman moved the following:

I move that the sum of $22.48 be placed upon the Appropriation Bill for the relief of Joseph S. Gyles, ex-Assessor and Collector of Millard County.

F. M. LYMAN.

Referred to the committee on Claims and Appropriations.

Mr. Atwood moved the following:

I move that a committee be appointed to act in conjunction with a like committee from the Council, to visit the Treasurer and examine the redeemed Auditor's Warrants, and cancel or destroy them.

S. F. ATWOOD.

The Speaker appointed Messrs. Atwood and Webster said committee.

[H. F. No. 18] "Substitute Revenue Bill," was taken up on its second reading by sections.

The following motion was made by Mr. Grover, and carried.

Mr. Speaker:

I move that a rule of the House be established, confining the maker of any Motion to an opening and closing speech, both not to exceed twenty min-

utes; and other Members restricted to one speech of not more than ten minutes on any one motion, without the permission of the House.

JOEL GROVER.

A motion by Mr. Farr, that the rate of tax for school purposes, provided for in section 1, be two mills on the dollar instead of three, was lost. The ayes and noes being demanded of record, were as follows:

Ayes—Webster, Murdock, Hatch, Atwood, Carrington, Farr and Wright—7.

Noes—Birch, Lyman, Petersen, Spencer, Brown, Milner, Rockwood, Gardner, Sharp, Smith, Fisher, Peery and Preston—13.

On motion of Mr. Sharp, House adjourned to 2 p.m.

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2 p.m.

House convened as per adjournment.

Roll called. Quorum present.

[H. F. No. 18] "Revenue Bill" was taken up on second reading by sections, pending which the following communication from the Council was read:

Council Chamber,
Salt Lake City, Feb. 7, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—I have the honor to announce that the action of your honorable body concerning the printing of 2,000 copies of Report of Territorial Superintendent of District Schools, has been concurred in by the Council.

Respectfully,
LORENZO SNOW,
President.

On motion of Mr. Pace, House adjourned till 7 p.m.

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7 p.m.

House met as per adjournment.

Roll called. Quorum present.

H. F. No. 18 was taken up on its second reading by sections, was amended, and, pending the reading of section

33, was recommitted to committee on Revenue, with instructions.

Minutes read and accepted.

On motion of Mr. Birch, House adjourned till 10 a.m. to-morrow.

FRIDAY, FEBRUARY 8, 1878.

COUNCIL.

Council Chamber,
Salt Lake City, Feb. 8, 1878.

Council convened at the regular hour.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor S. S. Smith, chairman of committee on Counties, to whom was referred (C. F. 17) "Bill to change boundary line between Sevier and Piute Counties," reported the same back without amendment, and recommended it be put on its passage.

On motion of Councilor Thurber, the report was accepted.

(C. F. 9) "Bill to authorize and regulate the adoption of children," was taken up and read the third time by its title. The title was read and amended to read as follows: "Bill for an Act to provide for the adoption of children," and the Bill so passed and was sent to the House.

C. F. 17, which was reported back from committee on Counties, was then taken up and read the second time, and,

On motion of Councilor Cluff, passed its second reading, and,

On motion of Councilor Thurber, was read the third time by its title; the title read and amended, and the Bill so passed and sent to the House.

The reading of (C. F. 11) "Criminal Procedure," was then resumed; the Bill was amended, and,

On motion of Councilor Snow, was recommitted to the committee on Judiciary, for further consideration.

Minutes read and accepted.

On motion of Councilor Smoot, Council adjourned till 2 p.m. to-morrow.

Benediction.

HOUSE.

Representatives' Hall,
Salt Lake City, Feb. 8, 1878. 10 a.m.

House met as per adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Rockwood presented a Claim from Territorial Surveyor-General Jesse W. Fox, for $240, for two years' rent of office.

On motion of Mr. Wright, referred to the committee on Claims and Appropriations.

Mr. Atwood moved the following:

I move that a committee be instructed to learn and report to the House what Territorial Officers, if any, are to be elected by the present Assembly.

S. F. ATWOOD.

Carried, and,

On motion of Mr. Atwood, referred to the committee on Library.

Mr. Rockwood reported the following:

Committee Room,
Salt Lake City, Feb. 8, 1878.

Mr. Speaker, and Members of the House:

Gentlemen—Your committee on Municipal Corpora-

tions, to whom was referred a Petition from Frederick A. Miller, and 44 others; also a Petition of David Moon, and 83 others, citizens of Ogden city, praying for the change of the north boundary line of Ogden City; we have also considered a Remonstrance signed by James Taylor, and 531 others, praying that there be no alteration in the north boundary line as prayed for in the petition. After giving the subject referred to a careful and patient consideration, have concluded to grant the Petitions in part, also the Remonstrance in part, by recommending the passage of the accompanying Bill.

A. P. ROCKWOOD, chairman.

(H. F. No. 19) "Establishing the north line of Ogden City," was read the first time and laid on the table to come up in its order.

H. F. No. 19, was taken up on its second reading, by sections, pending which,

On motion of Mr. Carrington, the House adjourned until 2 p.m.

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2 p.m.

House met as per adjournment.

Roll called. Quorum present.

(H. F. No. 18) "Revenue Bill," reported by Mr. Lyman, amended. Amendments adopted. Second reading by sections continued, and further amendments made, and,

On motion of Mr. Pace, the Bill was read the third time by its title, and,

On motion of Mr. Milner, the Bill passed.

The following message was received from the Council:

Council Chamber,
Salt Lake City, Feb. 8, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The accompanying Bill (C. F. 9) "Bill for an Act to provide for the adoption of children," having

passed the Council, the same is respectfully forwarded to your honorable body for your action thereon.

Respectfully,
LORENZO SNOW,
President.

C. F. No. 9, read the first time, and,

On motion of Mr. Pace, the Bill was read the second time by sections, amended, and,

On motion of Mr. Pace, was committed to the committee on Judiciary.

The following message was received from the Council:

Council Chamber,
Salt Lake City, Feb. 8, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed (C. F. 17) "A Bill for an Act to change the Boundary line between Sevier and Piute counties," and I have the honor to forward the same for your action. Also the Council has appointed Councilors Thatcher and Thurber a committee on the part of this House, to act with your committee in examining Auditor's Warrants.

Respectfully,
LORENZO SNOW,
President.

C. F. No. 17 was read the first time, and,

On motion of Mr. Milner, was referred to the committee on Counties.

Mr. Grover, chairman of committee on Irrigation and Canals, reported (H. F. No.20) "To regulate the right to and use of Water, etc." as substitute for H. F. No. 6 and H. F. No. 9, which,

On motion of Mr. Milner, was made the special order for 10 a.m. to-morrow.

Mr. Sharp presented a Claim of the U. C. R. R. and U. S. R. R., for transportation of Witnesses and Jurors,

on order of Marshal Nelson. Referred to the committe on Claims and Appropriations,

On motion of Mr. Sharp, the House adjourned till to-morrow at 10 a.m.

Benediction.

SATURDAY, FEBRUARY 9, 1878.

COUNCIL.

Council Chamber,
Salt Lake City, Feb. 9, 1878.

Council convened at the regular hour.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 8, 1878.

To Hon. Lorenzo Snow, President,
and Members of the Legislative Council:

Gentlemen—The House has passed (H. F. No. 18) "Revenue Bill," and now forward the same for the action of your honorable body thereon.

Respectfully,
ORSON PRATT, Sen.,
Speaker.

Also the following:

Representatives' Hall, Salt Lake City,
February 9, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House have had under consideration and rejected (C. F. 17) "To change the boundary line between Sevier and Piute Counties," and respectfully return the same.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Councilor E. Snow presented, Petition of John D. T. McAllister, Territorial Marshal, asking relief as such officer, which was read, and,

On motion of Councilor Callister, was referred to the committee on Claims and Appropriations.

Councilor E. Snow, chairman of Special Committee appointed to draft Resolutions of Respect to the memory of the late Ex-Governor Brigham Young, reported said Resolutions, which were read, and,

On motion of Councilor Burton, the report was accepted, the Resolutions adopted as the sense of the Council, and, the House concurring, ordered spread on the Minutes.

TRIBUTE OF RESPECT TO THE MEMORY OF THE LATE HON. BRIGHAM YOUNG, FOUNDER, AND THE FIRST GOVERNOR OF UTAH.

On the 29th of August, 1877, the death of this good and great man transpired. Impressed with a deep sense of the magnitude of the loss sustained through this melancholy dispensation of Providence, not only by this Legislative Assembly and the people of Utah, but also by our nation and the whole civilized world, we offer this Tribute of Respect to the illustrious dead.

As a veteran champion in promoting the good and happiness of universal humanity, and as an earnest, faithful advocate for justice and the equal rights of man, Brigham Young has stood pre-eminently without a rival. In breaking the long impenetrable solitude of this previously unexplored region, by forming an oasis in this great American Desert, he succeeded in accomplishing a work of vast importance in the interest of our National Government. Under his leadership numerous settlements were organized and established in these isolated valleys, marking an event which the future historian will record as having been one of immense importance in securing the greater stability and prosperity of our American Government, by forming a connecting link between the East and West, thus rendering practicable, at an early period, the commencement and completion of our great national highway. Long before the authorities at Washington considered this project of a railroad feasible, Governor Young, with the Legislature of the Legislature of the Territory, petitioned Congress to adopt measures for this purpose, and when Government inaugurated this movement, it was through the influence of Brigham Young that a contract was engaged and completed by the citizens of this Territory of more than one hundred miles of the most difficult portion of this stupendous enterprise.

In that unparalleled exodus from Nauvoo to these Rocky Mountains, leading a people who had been ostracized from their homes, and seeking for them a shelter from the bloody hand of persecution, here in a desolate wilderness, unknown to civilization, Brigham Young has exhibited courage, determination, and prescience of an extraordinary character, eliciting our highest praise and admiration. His affectionate and fatherly counsels and administrations, sharing, with his people their fatigues and privations, cheerfully sacrificing his personal interest to promote that of the whole; adopting measures for the good of each and all, during that soul-trying pilgrimage, has clearly manifested to the impartial observer, that he was actuated by a spirit of a higher order than is commonly attributed to our greatest philanthropists.

His intercourse with the original claimants of these interior wilds, has ever been peaceful and upright, so much so as to call forth the expression, in the highly figurative language of the red man, "Brigham always *talks to us with one tongue.*" Mr. Young's motto was, in regard to the mode of treating the Indian, "*it is cheaper to feed than to fight him.*" His just and humane policy toward the "Children of the Forest;" not only while acting in his official capacity as Superintendent of Indian Affairs, but, during his *entire* public life, has been such as the American Government would do well to imitate.

His veneration for the sacred Constitution of the United States, which our noble, patriotic forefathers framed by inspiration of the Almighty, never wavered, *even* when through mal-administration it ceased to afford him protection; but *here*, on Mexican soil, upon his arrival with his company of Pioneers, the "*dear old flag*" was hoisted to the breeze. His feelings are properly expressed in the following extract from one of our poets:

There came a time we shall remember well,
Beneath the Stars and Stripes we could not dwell;
We had to flee, but in our hasty flight,
We grasped the flag with more than mortal might;
Resolved that though our foes should us bereave
Of home and wealth, *our flag we would not leave.*
We took the flag, and journeying to the West,
We wore its motto graven on each breast.

A Provisional Government being requisite, until Congress should otherwise provide, on the 12th of March, 1849, Brigham Young was elected Governor of the then named State of Deseret; and February 3d, 1851, he took the oath of office, as Governor of the Teritory of Utah—Commander-in-chief of the Militia, and Superintendent of Indian Affairs, to which positions he had been appointed by President Millard Fillmore. He performed the duties of those offices with integrity and marked ability until in the Spring of 1858, he was superseded by Governor Alfred Cummings.

It was the intuitive mind of Brigham Young that suggested the philanthropic and gigantic system of a Perpetual Emigration Fund to emigrate the poor from foreign countries, by the operation of which millions of dollars have been collected and appropriated. The thousands of cheerful and happy homes, now the individual property of those thus assisted, are telling testimonials of his wonderful skill and ability as a judicial and successful colonizer. His masterly statesmanship is practically exhibited in uniting harmoniously a numerous people of different habits, customs and languages, gathered from almost every civilized nation.

As a public benefactor, he labored incessantly to promote the interest of the people of this Territory by encouraging agriculture and various kinds of useful mechanism, opening roads, erecting mills and factories, and aiding with his influence and means in building several important railroads in our Territory.

The introduction of the network of telegraph lines, opening direct communication with our numerous settlements, is another evidence of his beneficence and public enterprise.

With his far-seeing eye fixed on the future prosperity of Utah, he not only urged the necessity of becoming self-sustaining by creating home industries but, accomplished much by importing useful machinery; also in cultivating the mulberry for the manufacture of silk.

To the poor, he has truly been the "good Samaritan."

In promoting education by the establishment of schools. —both of the primary and higher departments,—he has been untiring in his efforts, and unsparing in his means. Besides establishing the "Brigham Young Academy," now in successful operation in Provo City, he has made large investments for educational purposes in other directions.

During his earthly carreer, his trust in, devotion to, and reliance on God, has been a striking characteristic.

But he has gone! In his death the world has lost a master spirit and mankind a friend. As the mortal remains of this great champion in the cause of humanity lay in state, the vast multitude that came to obtain a parting view of the genial face, formed a striking testimonial of the deep thrill of anxiety and grief which stirred the hearts of thousands; while the mournful refrain was wafted through the civilized world.

With the pure diamond of genuine love, the name of Brigham Young is indelibly engraven on the hearts of his people; and his long life of undeviating integrity, replete with deeds of beneficence and philanthropy is, to his memory, a magnificent and imperishable monument.

Councilor Harrington, chairman of the committee on Judiciary, reported back (C. F. 18) "A Bill to secure Justice to persons called to render Jury service in the District Courts, etc.," the bill having been printed according to instructions.

(H. F. 18) "The Revenue Bill," was then taken up and read, and,

On motion of Councilor Smoot, passed its first reading, and was referred to the committee on Revenue.

(C. F. 18) "Jury Bill" was then taken up on its second reading, pending which, on motion of Councilor Thurber, was recommitted to committee on Judiciary for further consideration.

Councilor Harrington, chairman of committee on Judiciary, reported back (C. F 20) "Bill supplementary to an Act creating the office of Selectman, &c.," which was printed according to instructions.

The following was received and read:

Representatives' Hall,
Salt Lake City, Feb 9, 1878.

Hon. Lorenzo Snow, President,
and Members of Council:

Gentlemen—I have the honor to announce that the House concurs in the "Tribute of respect to the memory of the late Hon. Brigham Young," and also in the action of the Council concerning spreading the same on the Minutes.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

C. F. 20 was taken up on its second reading, and,

On motion of Councilor Burton, passed its second reading:

The following was received and read:

Representatives' Hall,
Salt Lake City, Feb. 9, 1878.

Hon. Lorenzo Snow, President
and Members of the Council:

Gentlemen—The House has passed (H. F. 23) "Amending section 163 of the Compiled Laws of Utah and changing the boundary line between Rich and Summit Counties," and forwards the same for your action thereon.

Very Respectfully,
ORSON PRATT, SEN.,
Speaker.

Said Bill was then read, and,

On motion of Councilor Callister, was referred to committee on Counties.

Minutes read and accepted.

On motion of Councilor W. R. Smith, Council adjourned till 2 p.m. Monday.

Benediction.

HOUSE.

Representatives' Hall,
Salt Lake City, Feb. 9, 1878. 10 a.m.

House met as per adjournment.
Roll called. Quorum present.
Prayer by the Chaplain.

Mr. Brown, chairman of the committee on Agriculture, Trade and Manufactures, reported a Bill (H. F. No. 21) "For an Act to provide for the licensing of auctioneers, traveling merchants, etc." Read the first time, and,

On motion of Mr. Hatch, Bill ordered printed.

Mr. Pace reported the following:

Committee Room,
City Hall, Feb. 9, 1878.

Mr. President, and Members of the House:

Gentlemen—Your committee on Counties, to whom was referred (C. F. 17) "A Bill changing the boundary line between Sevier and Piute Counties," have had the same under consideration, and respectfully ask leave to report adversely to the passage thereof.

W. B. PACE, chairman.

Report adopted, and (C. F. 17) "To change the boundary line between Sevier and Piute Counties," was rejected.

Mr. Birch presented a Petition of G. M. Hudson and 302 others, accompanied with (H. F. No. 22) "To disincorporate Kaysville City, Davis County, was read the first time, and,

On motion of Mr. Hatch, referred, with Petition, to the committee on Municipal Corporations and Townsites.

(H. F. No. 20) Substitute Bill for H. F. Nos. 6 and 9, taken up and read the first time, and,

On motion of Mr. Pace, Substitute Bill adopted and ordered printed.

(H. F. No. 19) "Establishing the North Boundary of Ogden City," taken up and read the second time by sections.

On motion of Mr. Grover, House adjourned till 2 p.m.

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2 p.m.

House met as per adjournment.

Roll called. Quorum present.

H. F. No. 19 was taken up on its second reading. and,

On motion of Mr. Peery, that it be read the third time by its title, it was lost.

Mr. Milner presented Claim of Jerome P. Cross for $615.00 for services for the Territory, which was referred to committee on Claims and Appropriations.

Mr. Milner presented a Petition of the inhabitants of Spanish Fork City, asking for amendment to City Charter, which was referred to committee on Municipal Corporations and Townsites.

Mr. Preston presented a Petition from Wm. Howard, ex-Assessor and Collector of Rich County, asking remittance of Territorial Taxes. Referred to the committee on Claims, etc.

Mr. Milner presented a Petition from G. W. Jacques, *et al.*, for removal of a dam in Jordan River. Referred to Committee on Judiciary.

Mr. Grover moved the following:

Mr. Speaker, I move that the committee on Municipal Corporations and Townsites be instructed to include in their report on the Kaysville Petition, the propriety of repealing an "Act incorporating Nephi City," approved

March 6, 1852, of pages 141 and 142 Compiled Laws of Utah, of 1870.

JOEL GROVER.

Carried.

Mr. Murdock presented a Petition from E. Tolton and 630 others, for appropriation for the establishment of a Preparatory School for Teachers, for Beaver County.

Read, and referred to the committee on Education.

Mr. Pace reported the following:

Committee Room,
City Hall, Feb. 9, 1878.

Mr. President, and Members of the House:

Gentlemen—Your committee on Counties, to whom was referred Petition of W. H. Lee and 362 others, praying for a change of boundary lines between Rich and Summit Counties, report favorably to granting the prayer of the Petitioners, and herewith submit a "Bill for an Act amending Section 163 of the Compiled Laws of Utah," and recommend its passage.

W. B. PACE, chairman.

Bill [H. F. No. 23] "Amending Section 163 of Compiled Laws of Utah," was read the first time, and,

On motion of Mr. Lyman, Bill laid on the table till called for.

Mr. Farr, chairman of Judiciary Committee, reported back amended (H. F. No. 12) on "Chattel Mortgages." Amendments read and concurred in, and ordered printed.

The following message was received from the Council:

Council Chamber
Salt Lake City, Feb. 9, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The accompanying Resolutions of Respect to the memory of the late Hon. Brigham Young have been reported by the chairman of Special Committee; the report is accepted, the Resolutions are adopted, and,

the House concurring, ordered spread on the Minute s.

Do yo concur?

Respectfully,
LORENZO SNOW,
President.

The "Tribute of Respect to the memory of the late Hon. Brigham Young" was then read, and,

On motion of Mr. Lyman, the House unanimously concurred in the action of the Council.

H. F. 23 was taken up on its second reading, amended, and,

On motion of Mr. Preston, read the third time by its title, and,

On motion of Mr. Preston, the Bill passed and title amended to read "amending Section 163 of Compiled Laws of Utah" and changing the boundary line between Rich and Summit Counties.

Mr. Rockwood reported the following:

Committee Room,
Salt Lake City, Feb. 9, 1878.

Mr. Speaker
and Members of the House of Representatives:

Gentlemen—Your committee on Claims and Appropriations, to whom were referred the following Petitions and Accounts, respectfully report as follows:

In regard to Petition of John Sharp, president of Utah Central and Utah Southern Railroads, for an appropriation of $523.55 for passing Marshall W. N Nelson and others, on his order, over the roads, report adversely.

In regard to Petition of Wm. B. Dougall, Superintendent of the Deseret Telegraph Company, for $70.40 for telegraphing in 1872 for School Superintendent Campbell, we report adversely.

In regard to petition of Josiah Rogerson for $100 for ten days reporting in Second Judicial District Court, we report adversely.

In regard to the petition of Presley Denny, asking for

$1,500 for services as assistant District Attorney for Second Judicial District for two years, we report adversely.

In regard to the report of Auditor Clayton, of the deficiency to pay Jurors and Witnesses for 1876-7, recommending an appropriation of $20.000, we recommend the appropriation of $18,000 or as much thereof as may be necessary to pay the deficiency in Juror and Witness Fees for 1876 and 1877.

In regard to Petition of B. H. Norris and twenty-three others, and petition of Ashton Nebeker, we report that their claims are included in the $18,000 recommended to be appropriated above.

We recommend that the sum of $240 be placed upon the appropriation bill for two years' rent of office for Jesse W. Fox, Territorial Surveyor-General.

We also recommend that the sum of $22.48 be placed upon the appropriation bill for the relief of Joseph S. Giles, ex-assessor and collector of Millard County.

Your committee recommends that the presenters of Petitions which have been reported adversely, be allowed to withdraw the same from the table.

A. P. Rockwood,
Chairman.

Read and report adopted, excepting the sum of $18,000 payment of Jurors and Witnesses for 1876-7, which was laid on table till called for.

Adjourned to 10 a.m. Monday.

Benedictien by the Chaplain.

MONDAY, FEBRUARY 11, 1878.

COUNCIL.

Council Chamber,
Salt Lake City, Feb. 11, 1878.

Council met at 2 p.m.
Roll called. Quorum present.
Prayer by the Chaplain.
Councilor S. S. Smith presented the following report:

Committee Room, Feb. 11, 1878.

Mr. President, and Members of the Council:

Gentlemen—Your committee on Counties, to whom was referred (H. F. 23) "A Bill for an Act amending Section 163 of the Compiled Laws of Utah," have considered said Bill, and recommend its passage.

Respectfully,
SILAS S. SMITH, chairman.

On motion of Councilor W. R. Smith, report was accepted.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 11, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed (H. F. No. 24) "Changing the County Seat of Piute County," and re-

spectfully forwards the same for your action thereon.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Said H. F. 24 was then read, and,

On motion of Councilor E. Snow, was referred to the committee on Counties, with instructions to consider Petition of Jas. Lewis, and others, for changing the County Seat of Kane County.

Councilor Smoot presented the following report:

Committee Room, Feb. 11, 1878.

Hon. Lorenzo Snow, President,
and Gentlemen of the Council:

Your committee on Municipal Corporations and Townsites, to whom was recommitted (C. F 10) "An Act Amending the Charters of Incorporated Cities," report the same back, with amendments, and ask that it come up in its order and be put on its passage as amended.

A. O. SMOOT, chairman.

On motion of Councilor Thurber, report was accepted.

(C. F. 20) Supplementary to "Act creating office of Selectmen, etc.," was then taken up on its third reading by its title, and,

On motion of Councilor Thurber, passed its third reading, by its title; the title was read, and the Bill so passed, and was sent to the House.

(H. F. 23) "Amending Section 163, Compiled Laws of Utah," came up in its order on second reading, and,

On motion of Councilor Thatcher, was laid on the table for the present.

C. F. 10, amending the charters of Incorporated Cities, came up in its order, on second reading, and,

On motion of Councilor Smoot, passed its second reading, and,

On motion of Councilor Harrington, was read the third time by its title; the title read, and the Bill so passed, and was sent to the House.

Councilor Harrington, chairman of committee on Judiciary, to whom was referred (C. F. 11) "Criminal Procedure," reported same back with additional Sections.

On motion of Councilor Raleigh, report was accepted. Said additional Sections were then read, and,

On motion of Councilor Smoot, the Bill passed its second reading, and, on motion, was read the third time, by its title; the title was read, and the Bill so passed, and sent to the House.

Minutes read and accepted.

On motion of Councilor Smoot, Council adjourned till 10 o'clock to-morrow.

Benediction.

HOUSE.

Representatives' Hall,
Salt Lake City, Feb. 11, 1878. 10 a.m.

House met as per adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Rockwood presented a Petition from Mrs. M. H. Duncan for an appropriation of $95.00 for services of her husband as elisor of the Second Judicial District, read, and,

On motion of Mr. Milner, the committee on Claims and Appropriations was instructed to incorporate that amount in the Appropriation Bill.

Mr. Milner moved the following:

I move that the committee on Claims and Appropriations be instructed to insert the sum of five dollars in the Appropriation Bill to reimburse the chairman of committee on Elections, for expense incurred in procuring a copy of the Constitution and Election Laws of the State of Pennsylvania.

JOHN B. MILNER.

Carried, and the committee instructed accordingly.

By request of Mr. Rockwood, a copy of the Decision of the Third Judicial District Court in re Bostwick, a juror, *vs.* the Auditor of Public Accounts, was read.

(H. F. No, 20) "To Regulate the right to and use of Water for agricultural, manufacturing and mining purposes in the Territory of Utah," taken up on its second reading by sections, pending which,

On motion of Mr. Pace, it was recommitted to committee on Irrigation and Canals, and Messrs. Milner and Rockwood were added to the committee, for the consideration of said Bill.

Mr. Pace reported the following:

Committee Room,
City Hall, Feb. 11, 1878.

Mr. Speaker and Members of the House:

Gentlemen—Your committee on Counties, to whom was referred the Petition of Thomas R. King and 49 others, praying for the removal of the County Seat of Piute county from Marysvale to the Town of "Junction," respectfully report favorably to granting the prayer of the Petitioners, and herewith submit a Bill for An Act "changing the County Seat of Piute county," and recommend its passage.

W. B. PACE, chairman.

(H. F. No. 24) "Changing the County Seat of Piute county," was read the first time, and,

On motion of Mr. Pace, read the second time, by sections, and,

On motion of Mr. Hatch, read the third time by its title, and,

On motion of Mr. Brown, passed.

(H. F. No. 12) "In relation to Chattel Mortgages," taken up on itssecond reading by sections, pending which,

On motion of Mr. Milner, was laid on the table till called for.

(H. F. No. 21) "A Bill for an Act to provide for the licensing of auctioneers, traveling merchants, pedlers and

drummers," was taken up on its second reading, by sections, pending which,

On motion of Mr. Hatch, House adjourned till 2 p.m.

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2 p.m.

House convened as per adjournment.

Roll called. Quorum present.

H. F. No. 21 taken up on its second reading, by sections, pending which,

On motion of Mr. Birch, Bill recommitted to committee on Agriculture, Trade and Manufactures.

The following message was received from the Council:

Council Chamber,
Salt Lake City, Feb. 11, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed (C. F. 20) "A Bill for an Act supplementary to an Act creating the office of Selectman, etc.," and the same is now respectfully forwarded to your honorable body for your action thereon.

Respectfully,
LORENZO SNOW,
President.

C. F. No. 20 was read the first time.

On motion of Mr. Murdock, C. F. No. 20 was taken up for its second reading by sections. Amended.

On motion of Mr. Sharp, Bill read the third time by its title; read, and,

On motion of Mr. Hatch, the Bill passed.

The following message was received from the Council:

Council Chamber,
Salt Lake City, Feb. 11, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council having passed (C. F. 10) "To Amend Charters of Incorporated Cities," I have the

honor to forward the same for the action of your honorable body thereon.

Respectfully,
LORENZO SNOW,
President.

On motion of Mr. Milner, House adjourned till 7 p.m.

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7 p.m.

House met as per adjournment.

Roll called. Quorum present.

(C. F. No. 10) "To amend Charters of Incorporated Cities," was read the first time, and,

On motion of Mr. Lyman, was taken up on its second reading, by sections, amended, and,

On motion of Mr. Carrington, was read the third time by its title, and,

On motion of Mr. Brown, passed.

The following communication was received from the Council:

Council Chamber,
Salt Lake City, Feb. 11, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives

Gentlemen—The Council has passed (C. F. 11) "Criminal Procedure," and the same is respectfully forwarded to your honorable body for your action thereon.

Respectfully,
LORENZO SNOW,
President.

C. F. 11, was read the first time by its title, and,

On motion of Mr. Hatch, House adjourned till 10 a m, to-morrow.

Minutes called for and read.

Benediction by the Chaplain.

TUESDAY, FEBRUARY 12, 1878.

COUNCIL.

Council Chamber,
Salt Lake City, Feb. 12, 1878.

Council met pursuant to adjournment, at 10 a m.
Roll called. Quorum present.
Prayer by the Chaplain.
Councilor Burton presented the following Report:

To the President,
and Members of the Legislative Council:

Gentlemen—Your committee on Revenue, to whom was referred (H. F. 18,) "A Bill for an Act to provide Revenue for the Territory of Utah, and the several Counties thereof, respectfully report that they have duly considered the same, and herewith return said Bill, with amendments, and ask that it be put upon its passage by the Council.

Respectfully,
R. T. BURTON, chairman.

Council Chamber, Feb. 12, 1878.

On motion of Councilor Callister, the Report was accepted.

On motion of Councilor Smoot, the above Bill, (H. F. 18,) was made the special order of the day, and was taken up accordingly. Pending the reading, the following communications were received and read:

Representatives' Hall,
Salt Lake City, Feb. 12, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed (C. F. No. 20) "Supplementary to an Act entitled an "Act creating the office of Selectman, etc.," with amendments, and respectfully forward the same for your concurrence in the amendments.

Very respectfully,
ORSON PRATT, Sen,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 12, 1878.

To the Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed (C. F. 10,) "To Amend the Charters of Incorporated Cities," with amendments, and respectfully forward the same to your honorable body for concurrence in amendments.

Respectfully,
ORSON PRATT, Sen.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 12, 1878.

Hon. Lorenzo Snow, President,
and Members of Council:

Gentlemen—The House has passed (C. F. 15,) "Appointing a Special Commission to determine the boundary line between Weber and Morgan Counties in Weber Canyon," with amendments, and respectfully forwards the same for your concurrence in said amendments.

Very Respectfully,
ORSON PRATT, SEN.,
Speaker.

Council took recess till 2 p.m.

2 p.m.

Council resumed its session, and again took up (H. F 18,) "Revenue Bill," pending the reading of which, the following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 12, 1878.

The Hon. Lorenzo Snow, President,
and the Members of the Council:

Gentlemen—The accompanying report of the Commissioners to Locate University Lands, was presented and has been read to the House, and is now respectfully forwarded to your honorable body.

Respectfully,
ORSON PRATT, SEN.,
Speaker.

Council then took recess till 7 p.m.

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7 p.m.

Council resumed its session.

The reading of (H. F. 18,) "Revenue Bill," was resumed, and Bill amended.

On motion of Councilor Burton, the Bill passed its second reading as amended.

(H. F. 23,) "Amending Section 163 of the Compiled Laws of Utah, and changing the boundary lines between Rich and Summit Counties," was called up, and,

On motion of Councilor Cluff, was referred to the committee on Counties.

On motion of Councilor Raleigh, (C. F. 10,) "An Act amending the charters of Incorporated Cities," was taken up, amendments read, and,

On motion of Councilor S. S. Smith, was referred to the committee on Municipal Corporations and Townsites.

Minutes read and accepted.

On motion of Councilor S. S. Smith, Council adjourned till to-morrow at 10 a.m.

Benediction.

HOUSE.

Representatives' Hall,
Salt Lake City, Feb 12, 1878. 10 a.m.

House met as per adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Fisher presented a Remonstrance from P. Barton and 75 others, to the Petition of G. M. Hudson and 302 others, to disincorporate Kaysville City, Davis County.

Referred to the committee on Municipal Ccorporations and Townsites.

The following report was received and read:

Committee Room,
City Hall, Feb. 11, 1878.

Mr. President, and Members of the House:

Gentlemen—Your committee on Counties, to whom was referred (C. F. 15) "A Bill for an Act appointing a Special Commission to locate and establish the boundary line between Weber and Morgan Counties in Weber Canyon," respectfully ask leave to report the same back amended, and recommend its passage.

W. B. PACE, chairman.

Amendments read the first time, and,

On motion of Mr. Lyman, the Bill was read the second time by sections, amended, and,

On motion of Mr. Farr, read the third time by sections, amended, and,

On motion of Mr. Sharp, the Bill passed, title amended, and forwarded to the Council for concurrence

Mr. Preston presented a Bill (H. F. No. 25) for an

"Act defining days of grace on notes and bills payable," which was read the first time, and,

On motion of Mr. Farr, laid on the table till called for.

(C. F. No. 11) "For an Act regulating the mode of procedure in Criminal Cases," was taken up for reading the second time by sections, pending which,

House adjourned till 2 p.m.

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2 p.m.

House convened as per adjournment.

Roll called. Quorum present.

The Report of the Commissioners to locate University Lands was read.

(C. F. No. 11) was taken up on continued second reading, and,

On motion of Mr. Carrington, referred to a Special Committee, viz.: Messrs. Pace, Milner and Lyman.

(H. F. No. 12) "In relation to Chattel Mortgages," taken up for reading the second time by sections, and,

On motion of Mr. Hatch, the enacting clause stricken out.

(H. F. No. 25) taken up for reading the second time by sections, pending which,

On motion of Mr. Lyman, laid on the table indefinitely.

Minutes called for and read.

Benediction.

WEDNESDAY, FEBRUARY 13, 1878.

COUNCIL.

Council Chamber,
Salt Lake City, Feb. 13, 1878. 10 a m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Councilor Burton, (H. F. 18) "Revenue Bill." was taken up the third time by its title, the title read, and,

On motion of Councilor Thurber, the Bill so passed and was sent to the House.

Councilor Harrington, chairman of the committee on Judiciary, reported back (C. F. 18) "Jury Bill," with amendments, which was read, and,

On motion of Councilor Cluff, passed its second reading, and,

On motion of Councilor Raleigh, was read the third time by its title. the title was read and amended, and the Bill so passed and was sent to the House.

(C. F 15) "Appointing a Special Commission to define the boundaries of Morgan and Davis Counties in Weber Canyon, came up in its order, and,

On motion of Councilor Cluff, the House amendments were concurred in.

(C. F, 20) "Supplementary to an Act creating the office of Selectmen," was then taken up, and,

On motion of Councilor Snow, was laid over for the present.

The following communications were received and read:

Representatives' Hall,
Salt Lake City, Feb. 13, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed (H. F. No. 26) "Providing for the purchase of record books, stationery and safes for the District Courts," and respectfully forwards the said Bill for your action thereon.

Respectfully,
ORSON PRATT, SEN.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 13, 1878.

Hon Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House have considered the Council amendments to (H. F. 18) "Revenue Bill", and have concurred in all save those referred to in accompanying list, and report the same back to your honorable body for your further action thereon.

Respectfully,
ORSON PRATT, SEN.,
Speaker.

Council took recess till 2 p.m.

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2 p.m.

Council resumed its session.

(H. F. 18) "Revenue Bill," was taken up for consideration of the amendments not concurred in by the House.

On motion of Councilor Burton, the Council concurred with the House amendments to certain amendments of the Council, and receded from others objected to by the House, and asked a committee of Conference on those amendments not receded from.

The President appointed Councilors Burton and Thurber said committee of Conference on the part of the Council.

Councilor Thatcher presented Petition of Wm. F. Littlewood, for change of his name and that of his minor

children, accompanied by (C. F. 22) "A Bill for an Act to change the surnames of persons herein enumerated," which was read, and,

On motion of Councilor Burton, the Bill passed its first reading, and was taken up on its second reading, and,

On motion of Councilor W. R. Smith, passed its second reading.

Councilor Thatcher presented [C. F. 23] "Bill for an Act to amend an Act providing for the establishment and support of District Schools, etc." which was read, and,

On motion of Councilor Thatcher, was referred to the committee on Printing, with instructions to print 75 copies.

A Report from the Chancellor of the Deseret University, was received and read, and,

On motion of Councilor Burton, was, the House concurring, ordered printed with Report of Territorial Superintendent of District Schools.

On motion of Councilor Harrington, the subject matter of said Report was referred to the committee on Claims and Appropriations.

The following communication from the Chancellor was also read:

Salt Lake City, Feb. 13, 1878.

To the Hons. President, Speaker,
and Members of the Legislative Assembly:

Gentlemen—Having discharged, at the instance of your honorable body, the duties of Chancellor of the University of Deseret for some ten years, I now feel to decline further continuance in that important position.

Hoping that this Institution, under your fostering care, may attain to every excellence and success, as it assuredly deserves, and the necessity of our thriving and prosperous community requires, I have the honor to remain,

Very respectfully, Yours etc.,
DANIEL H. WELLS.

[C. F. 20] "Supplementary to an Act creating office of Selectmen, etc." was taken up and House amendments read.

On motion of Councilor S. S. Smith, the said amendments were concurred in, and the first Section of the Bill was reconsidered, and an addition made to that Section, and the Bill forwarded to the House.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 13, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has appointed Messrs. Lyman, Preston and Milner, a committee of Conference on the amendments to [H. F. No. 18] "Revenue Bill."

Respectfully,
ORSON PRATT, SEN.,
Speaker.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 13, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House have passed the following:

Resolved, the Council concurring, that 200 copies of the Financial Reports of Counties be printed in pamphlet form for distribution, by the Auditor of Public Accounts, for the Members of the Legislature, and Territorial and County Officers.

W. B. PACE.

Respectfully,
ORSON PRATT, SEN.,
Speaker.

On motion of Councilor Thurber, the Council concurred in the above resolution.

The following was received and read:

Representatives' Hall,
Salt Lake City, Feb. 13, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House have passed [H. F. No. 16]

"In relation to Smelters, Furnaces etc., and respectfully forward the same for your action thereon.

Respectfully,

ORSON PRATT, SEN.,

Speaker.

Report of Commissioners to Locate University Lands was then read, and,

On motion of Councilor Harrington, was referred to the committee on Claims and Appropriations.

Councilor Smoot presented the following report:

Hon. Lorenzo Snow, President,

and Gentlemen of the Council:

Your committee on Elections, to whom was referred [C. F. No. 13] "A Bill for an Act to provide for Special Elections, etc., herewith report the same back amended, and ask that it be put on its passage as amended.

A. O. SMOOT, chairman

[C. F. 13] was then taken up and read as amended by committee, and,

On motion of Councilor Harrington, passed its second reading, and,

On motion of Councilor Smoot, was taken up on its third reading by its title, the title was read and amended, and the Bill so passed and was sent to the House.

[H. F. 26] "Providing for record books, stationery and safes for District Courts, etc.," was taken up, and,

On motion of Councilor Thurber, was referred to the committee on Claims and Appropriations.

[H. F. 16] "Bill in relation to Smelters, etc.," was then taken up, read, and,

On motion of Councilor Smoot, was referred to the committee on Mineral Resources.

Councilor Harrington presented proposed amendments to an "Act amending certain sections of the Compiled Laws of Utah, which were read, and,

On motion, passed by the Council, and the House notified.

Minutes read and accepted.

On motion of Councilor Smoot, Council adjourned till to-morrow at 10 a.m.

Benediction.

HOUSE.

Representatives' Hall,
Salt Lake City, Feb. 13, 1878. 10 a.m.

House met as per adjournment.
Roll called. Quorum present.
Prayer by the Chaplain.

The following report of the Hooper Irrigation Company, was received and read:

Hooper City, Weber County, Utah,
February 8, 1878.

To the Honorable the Council and House of Representatives of the Legislative Assembly of the Territory of Utah:

Gentlemen—We, the Trustees of the Hooper City Irrigation Company, beg to submit the following:

Since the Statistical Report forwarded to the 22nd session of the Legislative Assembly, there has been a tax of $1.50 per acre assessed for repairs, improvements and extension of the Company's Canal, to the year ending July 31st, 1878.

Three hundred and fifty acres of land added for water claim, making a total of 5,102 acres irrigated in said district, at a cost of water right for

1st class land, $21.35 per acre,
2nd " " $16.85 " "

The cash proportion for the two years last past and extending to July 31st, 1878, being 40 cents per acre, leaving $1.10 to be paid in labor. The length of Main Canal is 17½ miles; the length of Branch Canal is 6½ miles. Cost of construction for Main Canal, including re-

pairs, cost of right of way, etc., to July 31st, 1878, is $100,725.00.

Very respectfully,

JOHN FLINDERS, Pres't.

HENRY B. GWILLIAM, Sec'y.

On motion of Mr. Lyman, referred to the committee on Irrigation and Canals.

The following report was received and read:

Committee Room, Feb. 13, 1878

Mr. Speaker

and Members of the House of Representatives:

Gentlemen—Your committee on Revenue, to whom was referred the petition of J. R. Wilkins, Clerk of the Second District Court, with instructions to report a Bill authorizing the Auditor of Public Accounts to purchase books, etc., etc., for the District Courts, beg leave to report the accompanying Bill, and recommend its passage.

F. M. LYMAN, chairman.

H. F. 26, "Providing for the purchase of record books, stationery and safes for the District Courts," was read the first time, and,

On motion of Mr. Hatch, taken up for its second reading, amended, and,

On motion of Mr. Smith, the Bill read the third time, by its title, and,

On motion of Mr. Brown, the Bill passed.

The following communication was received from the Council:

Council Chamber,

Salt Lake City, Feb. 13, 1878.

Hon. Orson Pratt, Sen., Speaker,

and Members of the House of Representatives:

Gentlemen—The Council has passed (H. F. 18) "Revenue Bill," with some amendments, and the same is now respectfully forwarded to your honorable body for concurrence in the amendments.

Respectfully,

LORENZO SNOW,

President.

The Council amendments to (H. F. No. 18) "Revenue Bill" were read—some were adopted and others not concurred in, the Bill was further amended and returned to the Council for their further action thereon.

Mr. Fisher presented a Petition from 73 residents of Davis County, for an act in relation to estray cattle. Referred to the committee on Agriculture, Trade and Manufactures.

Mr. Preston reported back, with amendments, (H. F. No. 16) "A Bill for An Act relating to Smelters, etc." Amendments read, pending which the Bill was recommitted.

Mr. Lyman reported the following:

Committee Room,
Salt Lake City, Feb. 13, 1878.

Mr. Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Revenue, to whom have been referred the Financial Reports of the several Counties of the Territory, desire to know the pleasure of the House in regard to those reports.

F. M. LYMAN, chairman.

Mr. Lyman moved the following:

I move that the committee on Claims and Appropriations be instructed to inquire into the propriety of inserting the sum of $470.55 in the Appropriation Bill for the relief of Wm. H. Lee, ex-Assessor and Collector of Tooele County.

F. M. LYMAN.

Read, and referred to the committee on Claims and Appropriations.

Mr. Young presented a Bill for an Act amending Section 1152 of the Compiled Laws of Utah. Read the first time, and,

On motion of Mr. Young, was laid on the table till called for.

Mr. Pace moved the following:

Resolved, The Council concurring, that 200 copies of

the Financial Reports of counties be printed, in pamphlet form, for distribution by the Auditor of Public Accounts, for the information of the Members of the Legislature and Territorial and County officers.

W. B. PACE.

House adjourned till 2 p.m.

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2 p.m.

House convened as per adjournment.

Roll called. Quorum present.

The following message was received and read:

Council Chamber,
Salt Lake City, Feb. 13, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council concurs in your amendments to [C. F. 15] "Appointing a Special Commission to define the boundary lines of Morgan and Davis Counties, etc.," including the changing of the title of the same.

Respectfully,
LORENZO SNOW,
President.

Mr. Preston reported back [H. F. 16] "Referring to Smelters, etc.," with amendments. Read, and,

On motion of Mr. Atwood, the Bill passed. Title amended.

Mr. Hatch presented a Petition from T. Booth and 45 others of Summit County, to change line of boundary between Summit and Wasatch Counties. Read, and,

On motion of Mr. Hatch, the Bill was referred to the committee on Counties.

Mr. Atwood presented a Remonstrance against the aforesaid Petition. Read, and,

On motion of Mr. Milner, referred to the committee on Counties.

Mr. Rockwood reported the following:

Salt Lake City, Feb. 13, 1878.

Mr. Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Municipal Corporations and Townsites, to whom were referred the Petition of George M. Hudson and others, praying for the repeal of the City Charter of Kaysville, in Davis County, and a Remonstrance of Levi Payne and others thereto, report adversely to granting said Petition, and that the presenters of Petition and Remonstrance be allowed to withdraw them from the table.

A. P. ROCKWOOD, chairman.

Read, and,

On motion of Mr. Fisher, report accepted.

Mr. Brown reported back Bill [H. F. No. 21] "For an Act providing for licensing Auctioneers, Traveling Merchants, etc.," with amendments, and,

On motion of Mr. Lyman, the Bill was laid on the table indefinitely.

The following was received and read;

Hon. O. Pratt, Sen., Speaker,
and Members of the Legislative Assembly:

Gentlemen—I have this morning received from Hon. Wm. Snow, Probate Judge for Washington County, a report with accompanying vouchers, showing amount of work done on the Rio Virgin Bridge, which is stated as follows, viz:

Paid for spiles	$ 60 00	
Paid for spile driving	194 95	
Paid for iron for bridge	251 00	
Paid blacksmith's work, bolts, etc	157 00	
Paid carpenters for labor	110 00	
Paid in part for 33,233 feet of lumber and timber	1,319 90	$2,092 85
Amount of Auditor's Warrants drawn on account of said bridge		2,592 20
Auditor's Warrants in hand of County Court		$499 35
To which add amount of appropriation still standing to credit of said bridge		103 80
		$603 15

The report fails to show how far said bridge is near completion, and the foregoing is all the information I am able to present on the subject.

Very respectfully,
Your obedient servant,
WM. CLAYTON,
Auditor of Public Accounts.

Salt Lake City, Feb, 13, 1878.

Referred to committee on Roads, Ferries, etc.

The following was received and read:

Council Chamber,
Salt Lake City, Feb. 13, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council concurs in all your amendments to Council amendments to [H. F. 18] "Revenue Bill," and recede from those non-concurred in, except the provision to Section 20, striking out the words "Assessor," and the insertion of "in full," Line 1, Section 26.

Councilors Burton and Thurber are appointed a committee of Conference on the part of the Council, to consider the same, and we ask that a like committee on the part of the House be appointed.

Respectfully,
LORENZO SNOW,
President.

Messrs. Lyman, Preston and Milner, were appointed to act in the premises.

Minutes called for and read.

On motion of Mr. Preston, House adjourned till 10 a.m. to-morrow.

Benediction.

THURSDAY, FEBRUARY 14, 1878.

COUNCIL.

Council Chamber,
Salt Lake City, Feb. 14, 1878. 10 a.m.

Council met pursuant to adjournment.
Roll called. Quorum present.
Prayer by the Chaplain.
Councilor Burton presented the following report:

To the President,
and Members of the Legislative Council:

Gentlemen—Your committee of Conference on (H. F. 18) "A Bill to provide Revenue for the Territory of Utah, and all the Counties thereof." respectfully report that said committee have agreed to adopt the Council amendments to said Bill.

Respectfully,
R. T. BURTON,
A. K. THURBER.

Council Chamber, Feb. 14, 1878.

On motion of Councilor S. S. Smith, Report was accepted.

(C. F. 22) "Bill to change Surnames, etc." was take n up on its third reading by its title, the title read and amended, the Bill so passed, and the House notified.

Councilor Burton presented, Petition of Maria Smith, with (C. F. 24) "Bill for the Relief of Maria Smith," which were read, and,

On motion of Councilor Burton, were referred to the committee on Claims and Appropriations.

The following communication was received from the House:

Representatives' Hall,
Salt Lake City, Feb. 14, 1878.

Hon. Lorenzo Snow, President,
and the Members of the Council:

Gentlemen—I have the honor to inform you that the House concurs in your action on Report of Hon. D. H. Wells, Chancellor University of Deseret, and the document having been read by the House, is now respectfully returned.

Respectfully,
ORSON PRATT, SEN.,
Speaker.

Councilor Smoot, chairman of committee on Municipal Corporations and Townsites, reported back (C. F. 10) "Amending Charters of Incorporated Cities," without further amendments, and recommend concurrence in House amendments.

House amendments were then read, and,

On motion, all were concurred in, and an amendment added to Section 9.

On motion of Councilor E. Snow, Section 5 of said Bill was reconsidered, pending which,

On motion of Councilor Smoot, the Bill was laid on the table.

The following communications were received from the House:

Representatives' Hall,
Salt Lake City, Feb. 14, 1878.

Hon. Lorenzo Snow, President,
and Members of Council:

Gentlemen—The House concurs in your amendment to Section 1, (C. F. 20) "Selectmen and County Court Act," and the same is respectfully returned for enrollment.

Very Respectfully,
ORSON PRATT, SEN.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 14, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed (C. F. No. 22) "Changing the Surnames of persons named therein."

Respectfully,
ORSON PRATT, Sen.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 14, 1878.

To the Hon. Lorenzo Snow, President,
and Members of the Council:

The House, Council concurring, has instructed the proper committee, in accordance with the recommendation proffered in the accompanying Report of the Territorial Treasurer.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

On motion of Councilor Smoot, the Council concurred in the action of the House instructing committee to destroy Redeemed Warrants as per Report of Territorial Treasurer.

Council took recess till 2 p.m.

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2 p.m.

On the Council resuming its session, the following communications were received and read:

Representatives' Hall,
Salt Lake City, Feb. 14, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House adopts the action of Conference Committee on amendments to H. F. 18) "Revenue Bill," and the Bill is now being enrolled.

Respectfully,
ORSON PRATT, SEN.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 14, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed (H. F. 10) "Amending Sections 388 and 389 of the Compiled Laws of Utah," and the same is forwarded for your action thereon.

Respectfully,
ORSON PRATT, SEN,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 14, 1878.

Hon Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed (C F. 9) "Providing for the Adoption of Children," with amendments, and said amendments are now forwarded for your action thereon.

Respectfully,
ORSON PRATT, SEN.,
Speaker.

(H. F. 10) "Bill to amend certain sections of Compiled Laws of Utah," was taken up and read.

On motion of Councilor Smoot, said Bill passed its first reading, and was taken up on its second reading, and amended.

On motion of Councilor Harrington, passed its second reading.

On motion of Councilor Smoot, the Bill was then taken up on its third reading by its title, the title read, and, the Bill so passed and the House notified.

House amendments to (C. F. 9) "For the adoption of children," were read, and,

On motion, were all concurred in.

The consideration of striking out Section 5 of (C. F. 10) "Amending charters of Incorporated Cities," was resumed, and,

On motion, the Section was amended and the House was notified of this action, also of the amendment to Section 9, together with the Council concurrence to all the House amendments.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 14, 1878.

The Hon. Lorenzo Snow, President,
and the Members of the Council:

Gentlemen—The House do not concur in your amendments to (H. F. 10) "Amending Sections 388 and 389 of Compiled Laws." The Bill is respectfully returned to your honorable body for your further action thereon.

Respectfully,
ORSON PRATT, SEN.,
Speaker.

Council then reconsidered their amendment to (H. F. 10) "amending Sections 388 and 389 Compiled Laws," in which the House did not concur.

On motion of Councilor Snow, the Bill was laid on the table for the present.

Minutes read and accepted.

On motion of Councilor Smoot, Council adjourned till to-morrow at 10 a.m.

Benediction.

HOUSE.

Representatives' Hall,
Salt Lake City, Feb. 13, 1878. 10 a.m.

House met as per adjournment.
Roll called. Quorum present.
Prayer by the Chaplain.

A petition of Joshua Terry and 26 others, of Draper, Salt Lake County, asking for legislation prohibiting owners of sheep from keeping them in the immediate neighborhood of settlements, was read and referred to the committee on Agriculture, Trade and Manufactures.

The following Report of Mr. Pace, chairman of the committee on Counties, was read and adopted:

Committee Room,
City Hall, Feb. 13, 1878.

Mr. President, and Members of the House:

Gentlemen—Your committee on Counties, to whom were referred the Petition of Thomas Booth and 45 others, praying for Rhodes Valley to be attached to Wasatch County, also the Remonstrance of J. C. Pack and 50 others, against said Petition, have had the same under consideration, and ask leave to report adversely to the prayer of the Petitioners.

W. B. PACE, chairman.

Mr. Lyman presented a Petition from Maria Smith, for the remission of certain taxes. Referred to the committee on Claims.

The following message was received from the Council:

Council Chamber,
Salt Lake City, Feb. 13, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has ordered, with the concurrence of your honorable body, that the accompanying

Report of Hon. D. H. Wells, Chancellor of the Deseret University be spread on the Minutes and printed with the Report of the Territorial Superintendent of District Schools.

Respectfully,
LORENZO SNOW,
President.

C F. No. 18 was taken up and read the first time, and,

On motion of Mr. Carrington, was referred to the Committee on Judiciary.

The following report was received and read:

Committee Room,
City Hall, Feb. 11, 1878.

Mr. Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee of Conference, to whom were referred the Council amendments to Sections 20-19 of (H. F. 18) has attended to the duties assigned, and recommend that the Council amendments be concurred in.

F. M. LYMAN, chairman.

The following was received and read:

Council Chamber,
Salt Lake City, Feb. 13, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council concur in all your amendments to (C. F. 20), "Supplementary to Act creating the office of Selectmen," etc., and have made an addition to Section First, for your concurrence in which the Bill is now respectfully forwarded.

Respectfully,
LORENZO SNOW,
President.

Amendments were read and concurred in.

The following message was received:

Council Chamber,
Salt Lake City, Feb. 13, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—I have the honor to forward to your honorable body [C. F. 22], "To change Surnames of persons, etc.," for your action on the same, it having passed the Council.

Respectfully,
LORENZO SNOW,
President.

C. F. 22 read the first time, and read the second time, and read the third time, and

On motion of Mr. Carrington, the Bill passed.

Mr. Farr reported back amended [C. F. No. 9] "For an Act to provide for the adoption of children." Amendments read and adopted, and

On motion of Mr. Pace, the Bill was read the third time by its title, and,

On motion of Mr. Brown, the Bill passed and was returned to the Council for concurrence.

Mr. Farr also reported back amended [H. F. No. 10] "to amend Sections 388 and 389 of the Compiled Laws of Utah." Amendments read and adopted; and the Bill read the third time by its title, and

On motion of Mr. Murdock, the Bill passed.

The following from the Territorial Treasurer was received and read;

Territorial Treasurer's Office,
Salt Lake City, U. T., Feb. 13, 1878.

To the Hon. the Legislative Assembly of the Territory of Utah:

Gentlemen—I most respectfully call the attention of your honorable body to the following:

The Auditor's Warrants redeemed at the Treasury during the year 1870 and 1871, after having been compared with the Auditor's accounts and duly cancelled by

the committee appointed by your honorable body to examine and cancel the same, were, according to your order, filed in the Treasurer's Office. As all warrants for previous and subsequent years have been destroyed by order of your honorable body, I would respectfully request that should your honorable body decide to destroy the warrants redeemed during the two past years you include in your order to the present examining committee the destruction of the warrants redeemed during the years 1870 and 1871.

Very Respectfully,
Your obedient servant,
JAMES JACK,
Territorial Treasurer.

Recommendation adopted, and Council concurring, committee instructed accordingly.

The following communication was received and read:

Council Chamber,
Salt Lake City, Feb. 13, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed [C. F. 13], "Provides for Special Elections, etc.," and I have the honor to orward the same to your honorable body for your action thereon.

Respectfully,
LORENZO SNOW,
President.

C. F. No. 13 was read the first time, and pending reading the second time,

On motion of Mr. Pace, referred to the committee on Judiciary.

The following was reported and read:

Committee Room,
February 14, 1878.

Mr. Speaker and Members of the House:

Gentlemen—Your committee on Irrigation and Canals, to whom were referred the Petition of the Wilson Irrigation Company, and Petition of J. S. Rawling and 26 others, report that they have duly considered said Petitions and beg leave to present the accompanying Bill and recommend its passage.

Very Respectfully,
JOEL GROVER,
Chairman.

[H. F. 28] "To amend certain Sections of Compiled Laws of Utah," was read the first time, and

On motion of Mr. Milner, the Bill was laid on the table till called for.

House adjourned till 2 p. m.

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2 p.m.

The House convened as per the usual adjournment.

Roll called. Quorum present.

[H. F. No. 28] taken up for reading, amended, pending which the Bill was recommitted.

The following was received and read:

Council Chamber,
Salt Lake City, Feb. 14, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed, with amendments noted in the same, [H. F. 10] "To repeal Sections 388, 389, Compiled Laws of Utah.

Respectfully,
LORENZO SNOW,
President.

Amendments read but not concurred in.

The following report was received, read and accepted;

Committee Room, City Hall,
Salt Lake City, Feb, 14, 1878.

To the Hon. Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Judiciary, to whom was referred that part of the Governor's Message relating to Polygamous Marriages, or to that class of marriages wherein two or more women voluntarily and contemporaneously enter into the marital relations with one man, beg leave to report to your honorable body that we have had the subject under careful consideration, and have unanimously come to the following conclusions:

First, That, while the Divine Law most strictly condemns fornications, adulteries, etc., it does in no instance condemn the class of marriages above referred to; but, on the contrary, such marriages were sanctioned, approbated, blessed, and even, in some instances, commanded by the great Lawgiver himself.

Second, That while illegitimate children, or bastards, were under the curse of the Divine Law, and debarred from entering the congregations of the Lord for ten generations, the children of Polygamists were called of God, and, by His divine appointment, were made Prophets, Rulers and Judges in Israel.

Third, That there was no distinction, in the Divine Law, in the inheritance of property, between Polygamic and Monogamic children.

Fourth, That the Law of God emphatically declares the marriage ordinance to be a Divine ordinance, as is most clearly expressed in the following quotation:

"What God hath joined together," etc.

Millions of Christians, among civilized nations, are unwilling to receive this holy sacrament, and enter into its sacred bonds, only upon conditions that the solemn rites connected with the ordinance should be administered by their own regularly ordained ecclesiastical au-

thorities, being exercised with the same conscientious and religious views which they have in regard to other religious sacraments. An overwhelming majority of the people of this Territory, like other religious bodies, believe in the divinity of the marriage ordinance. They also conscientiously and religiously believe in both forms or conditions of Scriptural marriage, namely, the Monogamic and Polygamic, and desire to practise the same, according to the Divine ordinances and laws of God.

Fifth, That your committee, having sworn to support the Constitution of the United States, do not consider themselves authorized to legislate against the religious belief and practices of any ecclesiastical denomination, who may wish to make this Territory their home.

Your committee, therefore, with all due respect to the opinions so ably expressed in the Message of His Excellency, respectfully ask to be discharged from any further consideration of the subject.

LORIN FARR,
ALBERT CARRINGTON,
JONATHAN C. WRIGHT,
JOHN B. MILNER.

Mr. Farr presented a Petition from the Wilson Irrigating Company of Weber County, which was read, and,

On motion of Mr. Farr, referred to the committee on Memorials.

Minutes called for and read.

House adjourned till 10 a.m. to-morrow.

FRIDAY, FEBRUARY 15, 1878.

COUNCIL.

Council Chamber,
Salt Lake City, Feb. 15, 1878. 10 a. m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Cluff presented (C. F. 25), "Bill to authorize Counties to issue Bonds on conditions," which was read, and,

On motion of Councilor Cluff, was referred to committee on Revenue, with orders to print 75 copies.

Councilor Thatcher presented the following Report:

Committee Room,
Feb. 15, 1878.

Hon. Lorenzo Snow, President,
and Members of the Legislative Council:

Gentlemen—Your committee on Mineral Resources, beg to report back with slight amendments, (H. F. 16,) "A Bill for an Act in relation to Smelting Furnaces, and works for machinery and working Minerals, and respectfuly recommend its passage

Very Respectfully,
M. THATCHER,
Chairman.

Said Bill as amended was read, and,

On motion of Councilor Cluff, the Report was accepted, and the amendments adopted, and the Bill passed its second reading, and,

On motion of Councilor S. S. Smith, was taken up on its third reading by its title, the title read, and the Bill so passed and was returned to the House for their concurrence in amendments.

Councilor S. S. Smith, in behalf of the committe on Printing, reported that (C. F. 123,) "Providing for the establishment and support of District Schools," was printed according to instructions, and the Bill was then taken up, and,

On motion of Councilor Thatcher, was referred to the committee on Education, and,

On motion, Councilors S. S. Smith and E. Snow, were added to said committee for the consideration of said Bill.

The following communications were received and read.

Representatives' Hall,
Salt Lake City, Feb. 15, 1878.

Hon. Lorenzo Snow, President.
and Members of the Council:

Gentlemen—The House concurs in your amendments to (H. F. 16) "In relation to Smelters, etc.," and the same is now ordered enrolled.

Respectfully,
ORSON PRATT, SEN.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 15, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House does not concur in the Council amendment to Section 5; concurs in your amendment to Section 9, of (C. F. 10,) "Act amending Charters of Incorporated Cities."

Respectfully,
ORSON PRATT, SEN.,
Speaker.

Council took recess till 2 p. m.

2 p. m.

Council resumed its session.

Councilor E. Snow, presented the following report:

Committee Room, Feb. 15, 1878.

To the President and Members of the Council:

Gentlemen—Your committee on Claims and Appropriations, respectfully report that we have considered the Petition of Wm. C. Mitchel, Assessor and Collector of Iron County, praying for relief in the sum of $100.15, Delinquent Territorial Taxes, and it appearing to the committee that half this sum was assessed upon sheep and stock herds belonging to people of Beaver and Kane Counties, on which the taxes were paid for the same year in those Counties, and that the other half is made up of small items against some who are dead and others, transients, who have eluded the Collector, and a few indigent persons, we therefore recommend granting the relief asked by appropriating $100.15.

In relation to the Petition of O. H. Riggs, ex-Superintendent of Common Schools, asking $500 to reimburse his expenses of attending an Educational Convention in Baltimore, in July, 1876, referring for precedent to an appropriation for a similar purpose two years ago. Your committee respectfully suggest that in both cases the service was unauthorized by law and extra-official, and if the former Assembly erred in their clemency, as this Petition would seem to indicate, it affords no good ground for repeating it. We therefore recommend that the Petition be not granted.

ERASTUS SNOW, chairman.

On motion of Councilor Smoot, the Report and recommendations were adopted.

Councilor Snow also presented the following report:

Committee Room, Feb 14.

Hon. Lorenzo Snow, President,

and Members of the Council:

Gentlemen—Your committee on Claims and Appropriations, report having had under consideration (H. F. 26) "A Bill for an Act providing for the purchase of

record books, safes, etc., for the District Courts," and report the same back to the Council with slight amendment, and recommend its passage as amended, striking out the words underscored in the Bill.

ERASTUS SNOW, chairman.

On motion of Councllor Callister,, Report was accepted and amendments to said Bill considered.

On motion of Councilor S. S. Smith, Bill passed its second reading, and,

On motion of Councilor Harrington, was taken up on its third reading by its title, the title read, and the Bill so passed and was sent to the House.

[C. F. 10,] "Amending charters of Incorporated Cities etc.," was taken up for reconsideration of further amendment of Council non-concurred in by the House.

On motion of Councilor Raleigh, a committee of Conference was asked for. Councilors Raleigh and Smoot were appointed said committee.

Minutes read and accepted.

On motion of Councilor Smoot, Council adjourned till to-morrow at 10 a.m.

Benediction.

HOUSE.

Representatives' Hall,
Salt Lake City, Feb. 15, 1878. 10 a.m.

House met as per adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Mr. Carrington, John Jaques was elected Assistant Clerk for the remainder of the session, *vice* Gus M. Clark dismissed.

The following communication from the Council was received and read:

Council Chamber,
Salt Lake City, Feb. 14, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—I have the honor to announce that the Council concur in your amendments to (C. F. 10), "Amending Charters of Incorporated Cities." They also accept Section 9, which they have amended. They have also reconsidered Section 5 of said Bill, and amended the same. Do you concur?

Respeetfully,
LORENZO SNOW,
President.

The Amendments to (C. F. 10), "Amending the Charters of Incorporated Cities," were then read, and,

On motion of Mr. Farr, the amendments were not concurred in.

The oath of office was then administered to Mr. John Jaques, Assistant Clerk, by the Speaker

The following Report was then received and adopted:

Committee Room,
Salt Lake City, Feb. 15, 1878.

Mr. Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Municipal Corporations and Townsites, to whom was referred [C. F. 17] "Substitute Bill, to amend the Charter of Beaver City," report the same back, and recommend that it do not pass, and that the Representative of Beaver County be allowed to withdraw the same from the table.

A. P. ROCKWOOD, chairman.

The following was received from the Council, and read:

Council Chamber,
Salt Lake City, Feb. 15, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed [H. F. 16] "Bill in relation to Smelting Furnaces," etc., with amendments as per enclosed statement, and I herewith return the same for your concurrence in said amendments.

Respectfully,
LORENZO SNOW,
President.

The amendments of the Council to [H. F. 16] were then read and concurred in, and the Council notified accordingly.

The following Report was received and adopted:

Committee Room, Feb. 15, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Private Incorporations, to whom was referred the Petition of the President and Secretary of the Utah Mutual Tunnel and Silver Mining Company, asking for a grant of a Charter for a mining road in Markham's Fork of Bingham Canyon, etc., respectfully report back said Petition, with our recommendation that the committee be released from any further consideration of said Petition, for the following reasons, to wit:

First, Section 1889, Law of Congress, reads:

"The Legislative Assemblies of the several Territories shall not grant Private Charters, or Especial Privileges," etc.

This Petition, in the opinion of your committee, is strictly forbidden by the aforesaid Act of Congress.

In the Compiled Laws of Utah, Section 1, in an Act providing for incorporating associations for mining, manufacturing, commercial, and other industrial pursuits, approved Feb. 18, 1870, it reads:

"Be it enacted," etc., "That hereafter, whenever any number of persons, not less than six, one-third of whom being residents of this Territory, are desirous of associating themselves together for establishing and conducting any mining, manufacturing, commercial or other industrial pursuit, or the construction or operation of wagon roads, irrigating ditches," etc., etc.

Your committee have no evidence that any such incorporation has been formed that would entitle them to the benefits of the powers and privileges asked for in their Petition. Therefore, your committee report adversely to the granting of said Petition, and respectfully ask to be released from any further consideration of the subject.

Very respectfully,

J. C. WRIGHT, chairman.

Mr. Peterson presented Petition of citizens of Mount Pleasant, Sanpete County, asking amendment to the charter of said City, which was read, and,

On motion of Mr. Peterson, referred to committee on Municipal Corporations and Townsites.

Mr. Peery presented Petition of G. L. Covey and 124 others, to amend the Law providing for the distribution of the school tax collected from railroad companies.

Referred to committee on Education.

Mr Hatch presented (H. F. 29) "A Bill in relation to Verdicts of Jurors in Civil Cases," which was read first time, and referred to Judiciary committee.

Adjourned to 2 p.m.

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2 p.m.

House met pursuant to adjournment.

Roll called. Quorum present.

On motion of Mr. Pace, House adjourned till to-morrow morning at 10 o'clock.

Benediction.

SATURDAY, FEBRUARY 16, 1878.

COUNCIL.

Council Chamber,
Salt Lake City, Feb. 16, 1878. 10 a.m.

Council met pursuant to adjournment.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 16, 1878.

To the Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House concur in your amendments to (H. F. 26) "Providing for the purchase of record books and safes for the District Courts."

Respectfully,
ORSON PRATT, Sen.,
Speaker.

Councilor S. S. Smith, chairman of the committee on Counties, to whom was referred (H. F. 23) "A Bill to amend Section 163 of the Compiled Laws of Utah," reported the same back without amendments.

Said Bill was taken up on its second reading.

On motion of Councilor Thatcher, Bill passed its second reading, and,

On motion of Councilor S. S. Smith, was taken up on its third reading by its title, the title read, and the Bill so passed and was returned to the House.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 16, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House have appointed Messrs. Rockwood and Pace, Conference Committee on the part of the House, to consider Section 5 of (C. F. 10) "Amending charters of Incorporated Cities."

Respectfully,
ORSON PRATT, SEN,
Speaker.

Owing to the absence of Councilor Smoot, the President appointed Councilor Harrington to act with Councilor Raleigh on Conference Committee to consider said Section.

Councilor E. Snow presented the following Report:

To the President and Legislative Council:

Gentlemen—Your committee on Claims and Appropriations respectfully recommend an appropriation of $500.00, or so much thereof as may be necessary, to be drawn by Commissioners to Locate University Lands, for pay and expenses of completing their labors, as their report represents only $17.50 of former appropriation remaining, and 5565.48-100 acres of land yet to be located.

We respectfully recommend that their report, herewith returned, be referred to the committee on Public Domain and School Lands, with instructions to inquire into the feasibility of making these lands available for the purpose intended, and report by Bill, or otherwise, at an early day.

ERASTUS SNOW.

On motion of Councilor Callister, Report was accepted, and recommendations adopted. The Report was so referred to committee on Public Domain and School Lands. Also the sum of $500.00 ordered to be inserted in the Appropriation Bill. Councilor S. S. Smith was added to the committee on Public Domain, for consideration of said reports.

Councilor E. Snow also presented (C. F. 26) "Bill amending charter and reducing boundaries of Washington City," which was read, and,

On motion of Councilor Smith, passed its first reading, and,

On motion of Councilor Harrington, passed its second reading.

On motion of Councilor E. Snow, the Bill was read the third time by its title, the title read, and the Bill so passed and was sent to the House.

Councilor Burton presented the following motion:

I move that the committee on Public Domain and School Lands be instructed to investigate the subject suggested in the Reports of Territorial School Superintendent and Chancellor of the University of Deseret, in relation to School Lands, if by any action on the part of the Legislature of Utah they can be made available.

R. T. BURTON.

Carried.

Councilor Burton presented (C. F. 27) "Bill amending Section 2193 of the Compiled Laws of Utah," which was read, and,

On motion of Councilor Thatcher, passed its first reading, and was taken up on its second reading; pending which, it was referred to the committee on Agriculture, Trade and Manufactures.

Councilor Thatcher moved that Councilor Thurber be added to said committee for the special consideration of said Bill.

Carried.

Councilor Snow presented the following Report:

To the President and Members of the Council:

Gentlemen—Your committee on Claims and Appropriations, have inquired into the matter referred to in the Petition of ex-Territorial Marshal McAllister, asking an appropriation of $4,750.00 for his relief. Your committee are of the opinion that, although his loss of that amount, and present stress therefore, is mainly due to the inexperience or neglect of a Deputy, the circumstances of both himself and Deputy entitles the Petition to our con-

sideration, and the ex-Marshal to our sympathies. To protect his bondsmen he is depriving his family of their home and necessaries, which the law exempts. We, therefore, recommend such relief as the Legislature in their clemency can allow.

ERASTUS SNOW, chairman.

On motion of Councilor S. S. Smith, Report was accepted, and the sum of $2,500.00 was ordered to be inserted in the Territorial Appropriation for this purpose.

Council took recess till 2 p.m.

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2 p.m.

Council resumed its session.

The following communication was received from the House:

Representatives' Hall,
Salt Lake City, Feb. 16, 1878.

Hon. Lorenzo Snow, President,
and Members of Council:

Gentlemen—The House has passed (C. F. 26) "Amending charter and boundaries of Washington City," with amendment, and now forward the same for your action in amendment.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Said amendment was read, and,

On motion of Councilor Snow, was concurred in.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 16, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed (C. F. 11) "Criminal Procedure," with amendments, and the same is now forwarded for your action on amendments.

Respectfully,
ORSON PRATT, SEN.,
Speaker.

Said amendments were then read, and,

On motion of Councilor Harrington, were concurred in, and the House notified.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 16, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed (H. F. 31) "Supplemental to the Penal Code," and the same is now forwarded for your action thereon.

Respectfully,
ORSON PRATT, SEN.,
Speaker.

Said Bill (H. F. 31) was then read, and,

On motion of Councilor Harrington, was referred to committee on Mineral Resources.

On motion of Councilor S. S. Smith, the Enrolling committee were instructed to engage such additional help as they may deem necessary to assist in enrolling the Bills now ready.

Councilor Snow presented the following concurrent Resolution:

Resolved, By the Governor and Legislative Assembly of the Territory of Utah, that the Auditor of Public Accounts, is hereby authorized to rent the room on first floor of East end of Deseret Bank Building, for an office of the Auditor of Public Accounts, Territorial Treasurer, Recorder of Marks and Brands, and for the Territorial Library, provided the rent does not exceed six hundred dollars a year.

Read, adopted, and sent to the House for concurrence.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 16, 1878.

To the Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed (H. F. 33) "Amending Section 1399 of Compiled Laws of Utah," and the same is respectfully forwarded for your action thereon.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Said Bill was read, and,

On motion of Councilor Burton, was referred to committee on Judiciary.

Minutes read and accepted.

On motion of Councilor Thurber, Council adjourned till Monday at 10 a.m.

Benediction.

HOUSE.

Representatives' Hall,
Salt Lake City, Feb. 16, 1878. 10 a.m.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 14, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—I have the honor to announce to your honorable body that the Council concurs in all your

amendments to (C. F. 9) "Bill for an Act to provide for the adoption of children."

Respectfully,
LORENZO SNOW,
President.

The following was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 16, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed (H. F. 26), "Providing for purchasing Record Books," etc., with amendments, as noted in accompanying statement. Do you concur?

Respectfully,
LORENZO SNOW,
President.

The amendments to H. F. 26 were read, and,

On motion of Mr. Milner, were adopted and the Council was notified accordingly.

The following message was received from the Council:

Council Chamber,
Salt Lake City, Feb. 16, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council asks Committee of Conference, to consider Section 5 of (C. F. 10), "Amending Charters of Incorporated Cities," and have appointed Councilors Raleigh and Smoot said committee, on the part of the Council.

Very respectfully,
LORENZO SNOW,
President.

On motion of Mr. Wright, a Committee of Conference was appointed, and Messrs. Rockwood and Pace, were

named by the Chair as said committee, on the part of the House.

Mr. Pace, chairman of Special committee, presented the following Report:

Committee Room,
City Hall, Feb. 16, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Gentlemen of the House:

Your Special Committee, to whom was referred a Bill for an "Act to punish frauds in Sampling and Assaying Ores," etc., beg leave to report a substitute therefor, and ask to be relieved from further consideration of the subject.

W. B. PACE, chairman.

[H. F. No. 31], "Supplemental to the Penal Code," was read the first time, and,

On motion of Mr. Sharp, was adopted as a substitute for H. F. 15.

Mr. Milner presented the following, which was read:

Committee Room,
Salt Lake City, Feb. 16, 1878.

Mr. Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Education, to whom was referred the Petition of G. L. Covey and 124 others, for amendments to the Law "Providing for the distribution of the School Tax collected from railroad companies," have given attention to said Petition, and report that in our judgment legislation upon that subject is unnecessary.

JOHN B. MILNER, chairman.

On motion of Mr. Hatch, the report was accepted.

On motion of Mr. Milner, (H. F. 31), "Supplemental to the Penal Code," was taken up on its second reading by sections, and amended, and,

On motion of Mr. Carrington, was read the third time by its title, and,

On motion of Mr. Farr, passed.

Mr. Farr presented the Petition of Jesse West, *et al* for $234.00, for services as Jurors, which was read and referred to the committee on Claims.

The following was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 16, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed (H, F. 23), "Amending Section 163 Compiled Laws of Utah," without amendment; also (C. F. 26) "Bill amending Charter and reducing boundaries of Washington City," and both Bills are respectfully forwarded, the former for enrollment, the latter for your action.

Respectfully,
LORENZO SNOW,
President.

C. F. 26), "Amending the Charter and reducing the boundaries of Washington City," was read the first time, and,

On motion of Mr. Carrington, was read the second time by sections, amended, and,

On motion of Mr. Farr, was read the third time, and,

On motion of Mr. Milner, passed.

Mr. Gardner presented the Petition of Z. Snow, for payment in full for professional services to civil officers of the Territory, which was read, and,

On motion of Mr. Gardner, was referred to the committee on Claims.

Mr. Milner presented the following, which was read:

Committee Room, City Hall,
Feb. 16, 1878.

Mr. Speaker, and Members of the House:

Gentlemen—Your Special Committee, to whom was referred (C. F. 11) "A Bill for and Act regulating the

mode of procedure in Criminal Cases," herewith repo the same back, amended, and recommend its passage as amended.

JOHN B. MILNER.

The amendments to (C. F. 11), "Regulating the mode of procedure in criminal cases," were read and adopted, and,

On motion of Mr. Carrington, the Bill was read the third time by its title, and,

On motion of Mr. Farr, the Bill passed.

On motion of Mr. Carrington, the House took a recess till 2 p.m.

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2 p.m.

House met.

Roll called. Quorum present.

Mr. Brown presented the following, which was read:

City Hall, Salt Lake City,
Feb. 16, 1878.

Mr. Speaker, and Gentlemen of the House:

Your committee on Agriculture, Trade and Manufactures, to whom were referred the Petition of A. Milton Musser and 75 others, and also the Petition of Homer Duncan and 25 others, asking for legislation in the interest of Bee Culture, return the same with the accompanying Bill, and recommend its passage.

JOHN BROWN, chairman.

(H. F. 32), "To protect and encourage Bee Culture, was read the first time, and laid on the table to come up in its order.

Mr. Farr presented the following, which was read:

Committee Room, Feb. 16, 1878.

Gentlemen of the House—Your committee on Judiciary, to whom was referred (H. F. 29), "In relation to the verdict of Jurors in civil cases, report, as a sub-

stitute therefor, the accompanying Bill, "Amending Section 1399 Compiled Laws of Utah," and recommend its passage.

L. FARR, chairman.

(H. F. 33), "Amending Section 1399 of Compiled Laws of Utah," was read the first time, and adopted as substitute for H. F. 29.

Read the second time by sections, amended, and,

On motion of Mr. Peery, read the third time by its title, and,

On motion of Mr Peery, the Bill passed.

The following was received from the Council, and read:

Council Chamber,
Salt Lake City, Feb. 16, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council concur in your amendment to [C. F. 26] "Bill to amend charter and reduce boundary of Washington City," and the Bill is now being enrolled.

Respectfully,
LORENZO SNOW,
President.

Mr. Birch made the following motion, which was read:

I move that the committtee on Roads, Bridges, Ferries and Canyons, be instructed to incorporate, in the general Appropriation Bill, $5,000.00 for widening of the dugways, removing rock from the road, and graveling or otherwise covering what is known as the Grapevine Sand, and generally repairing and straightening the Territorial road from the head of the Black Ridge Dugway, in Kane County, through Bellevue and Leeds, to St. George, to be drawn, one-half in 1878, and one-half in 1879, and expended, three-fourths under the direction of the County Court of Kane County, and one-fourth under the direction of the County Court of Washington County.

J. BIRCH.

On motion of Mr. Rockwood, was referred to the committee on Roads, Bridges and Ferries.

Mr. Peterson presented (H. F. 34) "Offering a reward for the killing of bears," which was read the first time, and,

On motion of Mr. Preston, was referred to the committee on Agriculture, Trade and Manufactures, with instructions to report at ten o'clock on Monday morning.

On motion of Mr. Atwood, the House adjourned till Monday morning at 10 o'clock.

Benediction.

MONDAY, FEBRUARY 18, 1878.

COUNCIL.

Council Chamber,
Salt Lake City, Feb. 18, 1878. 10 a.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Thurber presented Petition of Wm. Morrison and 115 others, citizens of Sevier and Piute Counties, asking an appropriation of $3,000.00 to make a road through Mary'svale Canyon, which was read, and,

On motion of Councilor Thurber, was referred to committee on Claims and Appropriations:

The following communication was received from the House:

Representatives' Hall,
Salt Lake City, Feb. 18, 1878.

To the Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House have adopted the accompanying Memorial, (H. M. No. 1) and forward the same for your action thereon.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Memorial was read, and,

On motion of Councilor E. Snow, was adopted.

Councilor Harrington, chairman of Judiciary committee, reported back (C. F. 3) "Bill Concerning Divorces," and stated that owing to its being superseded by H. F. 2, which had passed, the committee recommended that said C. F. 3 be rejected.

On motion of Councilor E. Snow, the Report was accepted and the Bill rejected accordingly.

Councilor Smoot presented the following Report:

Hon. Lorenzo Snow, President,
and Members of the Legislative Council:

Gentlemen—Your committee on Revision respectfully report having had under consideration the Petition of Ephraim Powell, report the same back with the accompanying Bill, and recommend its passage.

A. O. SMOOT, chairman.

Said Bill, (C. F. 28,) "A Bill for An Act to change the name of Ephraim Powell to Ephraim Brittel Bolton," was read, and,

On motion of Councilor Harrington, passed its second reading, and was taken up on its third reading by its title, the title read, and,

On motion of Councilor Thurber, the Bill so passed and was sent to the House.

On motion of Councilor Raleigh, Council took recess till 2 p.m.

2 p. m.

Council resumed its session.

Councilor Thatcher presented (C. F. 29) "A Bill for the relief of occupying claimants of land," which was read, and,

On motion of Councilor Thatcher, was referred to committee on Judiciary, with authority to print 75 copies if deemed advisable.

Councilor Raleigh presented the following Report:

Committee Room, Feb. 18, 1878.

Hon. Lorenzo Snow, President,
and Members of the Legislative Council:

Gentlemen—Your Conference Committee, to whom was referred Section 5, of C. F. No. 10, have agreed with the House Committee to recommend the passage of said Section 5, as it now stands in the printed Bill, after striking out the words "by ordinance," in the first line thereof.

Respectfully, etc.,
A. H. RALEIGH, chairman.

On motion of Councilor Smoot, report was accepted.

Councilor Burton presented the following Report.

To the President and Members of the Legislative Council:

Gentlemen—Your committee to whom was referred that portion of His Excellency's Message suggesting the appointment of a commission to revise and codify the laws of the Territory, respectfully beg leave to report, that owing to the present condition of the finances of the Territory, it would not, in their opinion, be wise to appoint such a commission, and make the appropriation necessary to carry into effect such a revision and codification.

That the compilation of the Laws, authorized by the last Legislature, has but recently been completed. This compilation contains many lengthy acts passed at the last session, viz:

"The Penal Code, Procedure in Justice's Courts, An Act in relation to the estates of Decedents, and procedure in Probate Courts; and in the opinion of the committee,

sufficient time has not elapsed since these Acts became laws to decide their adaptibility to the wants and requirements of the people of this Territory.

Your committee beg leave to further suggest that in their opinion such a revision and codification as referred to by his Excellency, may not be strictly necessary, except in the event of the Congress of the United States so far respecting the oft repeated petitions of the people of this Territory, as to accord to them the rights and privileges enjoyed by the citizens of a free and independent State.

And should the present Congress grant the Territory these rights and privileges, or should the next Legislature deem the codification necessary, it would then be ample time to perform such a work, and the merits of the Laws herein referred to would then be better understood.

Respectfully,
R. T. BURTON,
Chairman of the committee on Revenue.

On Motion of Councilor Harrington, Report was accepted.

Councilor Thatcher presented the following report:

Committee Room,
Salt Lake City, Feb. 18, 1878.

Hon. Lorenzo Snow, President,
and Members of the Legislative Council:

Gentlemen---Your committee on Education, to whom was referred [C. F. 23] "A Bill for an Act to amend 'an act providing for the establisement and support of district Schools and for other purposes," approved Feb. 18, 1876, having materially amended the same, beg leave to report it back for the action of the Council.

Very respectfully,
M. THATCHER, chairman.

On motion of Councilor Burton, report was accepted.

The following communication was received from the House:

Representatives' Hall,
Salt Lake City, Feb. 18, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House concur in your Resolution (C. R. No. 1), concerning the renting of office room for Auditor, etc., and the same is now respectfully returned.

Very respectfully,
ORSON PRATT, SEN,
Speaker.

[C. F. 23] "To amend an Act providing for the Establishment and Support of District Schools," was taken up on its second reading, amended, and,

On motion of Councilor Snow, passed its second reading.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 18, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed [H. F. 37] "To incorporate Richfield City, Sevier County," and now forward the same for your action thereon.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

H. F. 37 was then, on motion, referred to the committee on Municipal Corporations and Townsites.

Minutes read and accepted.

On motion of Councilor Harrington, Council adjourned till to-morrow at 10 o'clock.

HOUSE.

Representatives' Hall,
Salt Lake City, Feb. 18, 1878. 10 a.m.

House met as per adjournment.
Roll called. Quorum present.
Prayer by the Chaplain.
The following message from the Council was received and read:

Council Chamber,
Salt Lake City, Feb. 16, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council concurs in your amendments to (C. F. 11) "Criminal Procedure," and the Bill is ordered enrolled.

Respeetfully,
LORENZO SNOW,
President.

The following was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 16, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The accompanying Resolution has been adopted by the Council, and is now respectfully forwarded for your action.

Respectfully,
LORENZO SNOW,
President.

Concurrent resolution concerning renting room for Auditor of Public Accounts, Territorial Treasurer, etc., was read, and,

On motion of Mr. Carrington, referred to committee on Revenue, with instructions.

Mr. Attwood, from committee on Agriculture, etc., asked for further time to consider H. F. 34, which was granted.

Mr. Pace presented Petition of Warren N. Dusenberry, for $750, remuneration for legal service rendered in the First District Court of the Territory, which was read, and,

On motion of Mr. Carrington, referred to committee on Claims and Appropriations.

Mr. Young, from committee on Militia, presented Memorial to Congress, asking for $1,121,037.38, to reimburse the Militia of the Territory for services rendered and for supplies and transportation furnished in the Indian War in Sanpete and other counties in the Territory, in the years 1865, 6 and 7, which was read, and,

On motion of Mr. Pace, adopted.

On motion of Mr. Pace, House took recess until 2 p.m.

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2 p.m.

House resumed its session.

Roll called. Quorum present.

The following was received from the Council and read

Council Chamber,
Salt Lake City, Feb. 18, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—I have the honor to inform you that the Council has adopted your Memorial No. 1, "Asking Congress for an appropriation to reimburse the Territory," etc.

Respectfully,
LORENZO SNOW,
President.

The following was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 18, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed (C. F. 28) "Bill to change the name of Ephraim Powell," etc., and the same is now respectfully forwarded for your action.

Respectfully,
LORENZO SNOW,
President.

(C. F. 28), "Bill to change the name of Ephraim Powell to Ephraim Brettle Bolton," was read the first time, and,

On motion of Mr. Lyman, read the second time, and,

On motion of Mr. Rockwood, referred to committee on Petitions and Memorials.

Mr. Lyman presented the following report:

Committee Room,
Salt Lake City, Feb. 18, 1878.

Mr. Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Revenue, to whom was referred "Concurrent Resolutions," authorizing the Auditor of Public Accounts to rent a room in the Deseret Bank Building, for offices for certain Territorial Officers, with instructions, beg leave to report the same back without amendments, and recommend its passage.

F. M. LYMAN, chairman.

On motion of Mr. Rockwood, the Concurrent Resolution, concerning renting office room for certain Territorial Officers, was concurred in.

Mr. Rockwood presented Petition of Elias Morris and James H. Martineau, asking for $120, remuneration for services as witnesses in the Second District Court, which was read, and,

On motion of Mr. Milner, referred to committee on Claims and Appropriations.

Mr. Grover presented the following, which was read:

Committee Room, Feb. 18, 1878.

Mr. Speaker, and Members of the House:

Gentlemen—Your committee on Irrigation and Canals, to whom was recommitted H. F. 28, beg leave to present the accompanying Bill as a substitute therefor, and recommend its passage.

Very respectfully,
JOEL GROVER, chairman.

(H. F. 35), substitute Bill for (H. F. 28), amending Sections 505 and others of the Compiled Laws of Utah, was read the first time, and,

On motion of Mr. Farr, was received; and,

On motion of Mr. Pace, 75 copies were ordered printed.

Mr. Birch presented Petition of Geo. Goldthwaite and others for an act to incorporate the city of Silver Reef.

(H. F. 36) "To incorporate Silver Reef City," was read, and,

On motion of Mr. Milner, referred to committee on Municipal Corporations and Town-sites.

Mr. Rockwood presented the following report:

Committee Room,
Salt Lake City, Feb. 13, 1878.

Mr. Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee, to whom was referred Petition of Tarlton Lewis and 100 others for a Charter for the city of Richfield, do hereby submit the accompanying Act for said city, and recommend its passage.

A. P. ROCKWOOD.

On motion of Mr. Lyman, (H. F. 37), "Bill to Incorporate the city of Richfield," was read the first time by its title, and,

On motion of Mr. Spencer, read the second time by sections, and,

On motion of Mr. Spencer, read the third time by its title, and,

On motion of Mr. Milner, the Bill passed.

[H. F. 32], "Bill to protect and encourage Bee Culture," was taken up on its second reading by sections, and,

On motion of Mr. Preston, laid on the table indefinitely.

[H. F. 27], "Bill to amend Section 1152 Compiled Laws of Utah," was taken up on its second reading by sections, and

On motion of Mr. Milner, laid on the table indefinitely.

On motion of Mr. Lyman, he committee on Agriculture, etc., to whom was refeted H. F. 34, were required to report on the same art10 o'clock to-morrow morning.

On motion of Mr. Lyman, the committee on Elections were required to report on Election Bill by to-morrow morning, at 10 o'clock.

Minutes read and accepted.

On motion of Mr. Pace, House adjourned till 10 o'clock to-morrow morning.

TUESDAY, FEBRUARY 19, 1878

COUNCIL.

Council Chamber,
Salt Lake City, Feb. 19, 1878.

Council convened at 10 a.m.
Roll called. Quorum present.
Prayer by the Chaplain.
Councilor Harrington, chairman of the committee on

Judiciary, to whom was referred (H. F. 33), "Amending Section 1399 of Compiled Laws of Utah," reported the same back without amendment, and recommended its passage.

Bill was read, and,

On motion of Councilor Thurber, passed its second reading, and was taken up on its third reading by its title, the title read, the Bill so passed and was returned to the House.

Councilor Harrington, chairman of the committee on Judiciary, reported back (C. F. 21) "Bill amending Section 180 of Civil Practice Act, and recommended that it be put upon its passage.

Bill was read, and,

On motion of Councilor Snow, passed its second reading.

Councilor Smoot presented the following Report:

Hon. Lorenzo Snow, President,
and Gentlemen of the Council:

Your committee on Municipal Corporations and Townsites, to whom was referred (H. F. 37), "An Act to incorporate Richfield City," report the same back without amendments, and recommend its passage.

A. O. SMOOT, chairman.

On motion of Councilor Harrington, report was accepted and Bill passed its first reading, and was taken up on its second reading by sections.

On motion of Councilor Burton, passed its second reading.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 19, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House do not accept the amendment to Section 5 of C. F. 10, as reported by Conference Committee to your honorable body, and ask for a second

Conference Committee on the same subject. The same committee are appointed on the part of the House.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

The President appointed the same committee on the part of the Council to reconsider said Section.

[H. F. 37], "To incorporate Richfield," was then taken up the third time by its title, the title read, and the Bill so passed and was sent to the House.

Council took recess till 2 p.m.

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2 p m.

Council resumed its session.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 19, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gectlemen—[H. F. No. 39], "Amending an Act in relation to proving the records and mining rules, etc.," approved Feb. 1876, has passed the House, and is now forwarded for your action thereon.

Respectfully,
ORSON PRATT, SEN.,
Speaker.

Said Bill was taken up, read, and,

On motion of Councilor Snow, passed its first reading, and was taken up on its second reading by sections.

On motion of Councilor Smoot, the Bill passed its second reading, and was taken up on its third reading by its title, the title read, and the Bill so passed, and was returned to the House.

Councilor E. Snow, chairman of committee on Claims and Appropriations, presented the following Report.

To the President, and Council:

Gentlemen—Your committee on Claims and Appropriations, to whom was referred Petition of Wm. Morrison and 115 other citizens of Sevier and Piute Counties, asking an appropriation of $3,000.00 to locate and make a road along the Sevier River through the Mary'svale Canyon, between Joseph City, in Sevier County, and Mary'svale, in Piute, respectfully represent that such a road has long been felt a necessity, and would be hailed by all settlers on the line of the Sevier, and the travel to and from the Eastern part of Iron and Kane Counties and Arizona and New Mexico, as a valuable public improvement, avoiding the present circuitous and difficult mountain road. We therefore recommend appropriating $2,500.00 for that purpose. to be drawn and expended by the County Court of Sevier County.

ERASTUS SNOW, chairman.

On motion of Councilor Thurber, report was accepted and amount ordered to be inserted in Appropriation Bill.

Councilor Thurber presented the following report:

Committee Room, Feb. 19, 1878.

Hon. Lorenzo Snow, President,
and Members of the Legislative Council:

Gentlemen—Your committee on Mineral Resources, to whom you referred (H. F. 31), "A Bill for an Act supplemental to the Penal Code," having amended the same by inserting in the fifth line of Section 3 the words, "or cause to be published," report the same back and respectfully recommend the Bill to be put upon its passage in the order thereof.

Very respectfully,
M. THATCHER, chairman.

On motion of Councilor Raleigh, Report was accepted.

Councilor Raleigh presented report of Committee o Conference on Section 5, to C. F. 10, and,

On motion of Councilor E. Snow, was accepted and amendments adopted.

The following conmmuication was received and read:

Executive Office,
Salt Lake City, February 18, 1878.

Hon. Lorenzo Snow, President of the Council:

Sir—I have the honor to inform you that I have received and this day approved the following Bills:

(C. F. No. 20), "An Act supplementary to an Act entitled an Act creating the office of Selectmen and prescribing their duties; also the duties of County Courts."

(C. F. No. 22), "An Act to change the surname of persons, therein named.

(C. F. No. 4), "An Act amending certain Sections of the Compiled Laws of Utah, and extending the jurisdiction of Justices of the Peace.

(C. R. No. 1), "A Joint Resolution authorizing the Auditor of Public Accounts to rent a certain office, to be used by himself, the Territorial Treasurer, Recorder of Marks and Brands, and for the Territorial Library;" all of which will be filed with the Secretary of the Territory, without delay.

Very respectfully,
G. W. EMERY,
Governor.

(H. F. 31), "Supplemental to Penal Code," was then taken up on second reading, pending which it was referred to committee on Judiciary.

The following communications were received and read:

Representatives' Hall,
Salt Lake City, Feb. 19, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has adopted the amendment to Section 5, C. F. 10, as reported by Conference

Committee, and the Bill is now returned (Council also adopting amendment), for enrollment.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 19, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed the accompanying Concurrent Resolution and forward same for your action thereon.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Resolution was then read, amended, and,

On motion of Councilor Burton, was concurred in as amended, and returned to the House.

Councilor Snow presented [C. F. 30], "Amending Section 1132, Compiled Laws of Utah," which was read, and,

On motion of Councilor W. R Smith, passed its first reading, and was taken up on its second reading, and,

On motion of Councilor Callister, passed its second reading, and,

On motion of Councilor W. R. Smith, was taken up on its third reading, the title read, the Bill so passed and was sent the House.

Minutes read and accepted.

On motion of Councilor Thurber, Council adjourned till to-morrow at 10 a.m.

Benediction.

HOUSE.

Representatives' Hall,
Salt Lake City, Feb. 19, 1878. 10 a.m.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by Chaplain.

Mr. Spencer presented Petition of residents of Monroe for incorporation of Monroe City. Referred to committee on Municipal Corporations, etc.

Mr. Spencer presented Petition of citizens of Monroe, Central, Anabella and Glenwood, for appropriation of $1,000, for making a road on East side of Sevier Valley, etc. Referred to committee on Roads, Bridges, etc.

Mr. Milner presented Petition of Harvey S. Cluff, Assessor and Collector of Utah County, for appropriation of $79.60, relief for delinquent taxes. Referred to committee on Claims and Appropriations.

Mr. Rockwood presented the following Report, which was read:

Committee Room,
Salt Lake City, Feb. 18, 1878.

Mr. Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Municipal Corporations, to whom was referred the petition of the City Council and others of Mt. Pleasant City, praying for an Act to incorporate Mt. Pleasant City, in Sanpete County, have considered the subject and report adversely, and ask to be discharged from further duties on that subject, and the presenters of the petition have leave to withdraw it.

A. P. Rockwood, chairman.

On motion of Mr. Preston, report accepted, and committee discharged.

Mr. Smith presented the following report, which was read:

Committee Room,
Salt Lake City, Feb. 19, 1878.

To the Hon. Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Elections, to whom was recommitted (H. F. No. 8) "An Act providing for the Registration of Voters, and to regulate the manner of conducting elections," etc., after having given the subject due consideration, beg leave to report the accompanying substitute Bill, and recommend its passage.

Respectfully,
W. G. SMITH, chairman.

On motion of Mr. Sharp, substitute Bill (H. F. 38), "Providing for Registration of Voters," etc., was read the first time, and,

On motion of Mr. Attwood, was adopted as substitute for H. F. 8, and 75 copies were ordered printed.

The following message from the Council was rece ve d and read:

Council Chamber,
Salt Lake City, Feb. 19, 1878.

Hon. Orson Pratt, Sen , Speaker,
and Members of the House of Representatives:

Gentlemen—The Conference Committee, appointed to consider Section 5 of C. F. 10, have recommended that the Section pass as in printed Bill, after striking out the words "By Ordinance." The Council has accepted the report and favorably acted on the recommendation of committee. The Council has also passed (H. F. 33), "In r eference toVerdict of Jury," and the same is now returned for enrollment.

Respectfully,
LORENZO SNOW,
President.

On motion of Mr. Carrington, the House did not concur, but asked for another Conference Committee, appointing same committee to act on part of the House.

Mr. Rockwood presented the following Report, which was read:

Committee Room,
Sall Lake City, Feb. 18, 1878.

Mr. Speaker, and Members of the House:

Gentlemen—Your committee on Claims and Appropriations, to whom was referred the petition of Z. Snow, praying for an appropriation of $1,100, have carefully considered the items set forth, and recommend that the sum of three hundred and fifty dollars ($350.00) be placed in the Appropriation Bill for legal services.

The claim of $750.00 for services in the case of John D. T. McAllister *vs.* Berband Berlin, is a matter in which the Territory is not responsible; hence, to this item in the bill rendered we report adversely.

Your committee have also taken into consideration the petition of Jesse West, George E. Bourne and George M. Ottinger, asking for $78.00 each for services as Jurors in the year 1875, March Term, and,

Whereas, your committee have information that the sum of $23,400.00, appropriated to pay the expenses per diem of the Members and Officers of the Legislative Assembly of the Territory of Utah for 1876, was by Congress diverted from that channel to pay the Court expenses of said Territory for the years 1874 and 1875, and,

Whereas, your committee has no knowledge that said amount of $23,400.00 has been expended, it is presumable that the cash is in the hands of some person whose duty it is to pay such demands, hence your committee report adversely to allowing said petition.

Your committee have also considered petition of Maria Smith, asking relief in the sum of $1,129.92, for City, County and Territorial taxes assessed against her property for the years 1872, 73, 74, 75 and 76. The Territorial part of said taxes amounts to $176.80, which

amount your committee recommend to be placed upon the Appropriation Bill for the relief of said Maria Smith, petitioner.

Your committee recommend that the petitions reported adversely upon be withdrawn by those who presented them.

A. P. ROCKWOOD, chairman.

Report was accepted, except as to adverse report on $750, asked for by Z. Snow, for legal services in the case of John D. T. McAllister *vs.* Berband Berlin, which was ordered to lie on the table till called for.

Mr. Sharp presented [H. F. 39] "Amending Act relating to proving records and mining rules of mining districts," etc., which was read, and,

On motion of Mr. Hatch, was taken up on its second reading by sections, and,

On motion of Mr. Grover, read the third time by its title, and,

On motion of Mr. Grover, passed.

Mr. Brown. of committee on Agriculture, etc., reported on (H. F. 34) "Bill providing for bounty for killing bears," and recommend that said Bill be laid on the table indefinitely.

On motion of Mr. Hatch, the House adopted the report of the committee.

Mr. Farr, of committee on Judiciary, reported substitute Bill for H. F. 3.

[H. F. 40], "An act toregulate the rate of interest," was read first time and adopted as substitute for H. F. 3, and,

On motion of Mr. Hatch, was taken up on its second reading by sections, and,

On motion of Mr. Grover, the enacting clause was stricken out.

The following message was received from the Council, and read:

The amendment to Section 5, C. F. 10, was read, and,

Council Chamber,
Salt Lake City, Feb. 19, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed without amendment [H. F. 37], "To incorporate Richfield City," and the same is now respectfully returned for enrollment. The same committee has been appointed on Section 5, (C. F. 10.]

Respectfully,
LORENZO SNOW,
President.

On motion of Mr. Rockwood, the House took a recess till 2 p.m.

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2 p.m.

House resumed its session.

Roll called. Quorum present.

Mr. Rockwood, of committee on Claims and Appropriations, presented the following Report, which was read:

Committee Room,
Salt Lake City, Feb. 19, 1878.

Mr. Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Claims and Appropriations, to whom was referred that portion of the Governor's Message relating to the distribution of the Compiled Laws of Utah, have given the matter attention, and beg leave to report the accompanying Concurrent Resolution, and recommend its passage.

A. P. ROCKWOOD, chairman.

Concurrent Resolution, approving action of Compiling Committee, regarding the distribution of 200 copies of the Compiled Laws of Utah, and authorizing the further distribution of 100 copies by the Secretary of the Territory, adopted.

Mr. Rockwood, of Conference Committee, reported amendments to Section 5, [C. F. 10] "Amending charters of incorporated cities.

On motion of Mr. Brown, the Report was adopted.

Mr. Lyman presented the following Report, which was read:

Committee Room, City Hall,
Salt Lake City, Feb. 19, 1878.

Mr. Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Revenue, to whom was referred the Report of the Territorial Treasurer, of property on hand, report the same back, and recommend that it be spread upon the minutes.

The Report of Auditor Wm. Clayton, in relation to property turned over to him by the Territorial Marshal, has also received our attention, and we recommend that the Auditor use said property in fitting up the new office the Assembly have authorized him to rent for his use.

F. M. LYMAN, chairman.

Territorial Treasurer's Office,
Salt Lake City, U. T., January 19, 1878.

To the Legislative Assembly of the Territory of Utah:

Gentlemen—I have the honor to report that there is in my charge, as Territorial Treasurer, the following property belonging to the Territory:

One "Herring" fire-proof safe, 1 cancelling stamp, 18 Froiseth's new map of Utah Territory, and 1 Do for the use of Treasurer's office, and 1 Blank Receipt Book.

Respectfully submitted,

JAMES JACK,
Territorial Treasurer.

On motion of Mr. Preston, the report was adopted.

The following was received from the Council, and read:

Council Chamber,
Salt Lake City, Feb. 19, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council having passed (H. F. 39) "To amend an Act in relation to proving records," the same is now respectfully returned for enrollment.

Respectfully,
LORENZO SNOW,
President.

Mr. Brown presented the following Report, which was read:

City Hall, Salt Lake City,
Feb. 16, 1878

Mr. Speaker, and Gentlemen of the House:

Your committee on Agriculture, Trade and Manufactures, to whom was referred the Petition of J. W. Hoover and 67 others, also the Petition of J. M. Benedict and 19 others, asking legislation in the interest of fish and game, have considered the same, and return said Petitions with the accompanying Bill, and recommend its passage.

JOHN BROWN, chairman.

(H. F. 41) "Bill to repeal Section 2196, and part of Section 2197, Compiled Laws of Utah, and prescribing the time and mode of taking fish, etc.," was read the first time, and,

On motion of Mr. Carrington, was taken up on its second reading by sections, and,

On motion of Mr. Rockwood, referred back to committee on Agriculture, etc., and Mr. Rockwood was added to the committee for the consideration of the Bill.

The following message was received from the Governor:

Executive Office,
Salt Lake City, Feb. 18, 1878.

Hon. Orson Pratt, Sen.,
Speaker of the House of Representatives:

Sir—I have the honor to inform you that I have received and this day approved (H. F. No. 26), "Providing

for the purchase of record books and safes for the District Courts."

Very respectfully,
GEO. W. EMERY,
Governor.

Mr. Attwood presented [H. F. 42] "Bill for equalizing taxes on transitory herds in the Territory," which was read, and referred to committee on Revenue.

Mr. Milner presented [H. F, 42] "Bill for regulating the Practice of Medicine and Surgery," which was read and referred to the committee on Judiciary.

Mr. Farr, of committee on Judiciary, reported back [C. F. 13] "Bill to provide for Special Elections," with amendments, which were read, and the Bill was taken up on its second reading by sections, amended, and,

On motion of Mr. Sharp, read the third time by its title, and,

On motion of Mr. Sharp, passed, and,

On motion of Mr. Lyman, title was amended to read, "An act to provide for Special Elections to fill vacancies."

The following message was received from the Council:

Council Chamber,
Salt Lake City, Feb. 19, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—Your [H. R. 1], "Approving action of Compiling Committee," etc., has passed the Council with an amendment. The Resolution is now respectfully forwarded for your concurrence in amendment.

Council have also passed [C. F. 30], "Amending Section 1152 of Compiled Laws."

Respectfully,
LORENZO SNOW,
President.

Council amendment to [H. R. 1] "Approving action of committee on Compilation in distributing Compiled Laws of Utah," was read, and,

On motion of Mr. Lyman, the House concurred.

[C. F. 30], "Bill for an Act amending Section 1152 of Compiled Laws of Utah," was read the first time, and,

On motion of Mr. Grover, was laid on the table to await its order.

[H. F. 35], "Amending Section 505 and other sections of Compiled Laws of Utah, relating to irrigating Districts, was taken up on its second reading by sections, amended, and,

On motion of Mr. Sharp, read the third time by its title, and,

On motion of Mr. Birch, the Bill passed.

On motion of Mr. Grover, the House took recess till 7 p.m.

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7 p.m.

House resumed its session.

Roll called. Quorum present.

[C. F. 30], "Bill for an Act amending Section 1152 of Compiled Laws of Utah," was taken up on its second reading, and,

On motion of Mr. Pace, the enacting clause was stricken out.

[H. F. 38], "Bill for an Act providing for the registration of voters, etc.," was taken up on its second reading by sections, amended, and,

Minutes were called for, read and accepted.

On motion of Mr. Pace, House adjourned till 10 o'clock to-morrow morning.

Benediction.

WEDNESDAY, FEBRUARY 20, 1878.

COUNCIL.

Council Chamber,
Salt Lake City, Feb. 20, 1878.

Council convened at 10 a.m.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 19, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed (H. F. No. 35) "Amending Sections 505, 6, 7, 8, 13, 22 and 26 of the Compiled Laws of Utah," and the same is now forwarded for the action of your honorable body thereon.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Councilor Harrington, chairman of the Judiciary committee, to whom was referred (C. F. 12), "Bill to amend an Act in relation to Procedure in Civil Cases," reported the same back amended.

Councilor Harrington also reported back (H. F. 31), "Supplemental to Penal Code."

Councilor S. S. Smith moved to reconsider C. F. 15, which was carried, an amendment was adopted, and the Bill sent to the House for concurrence in amendment.

(C. F. 13), "Special Elections," was then read as amended, and,

On motion of Councilor Harrington, amendments were concurred in except one in Section 4, which,

On motion, was non-concurred in by the Council.

On motion of Councilor S. S. Smith, a Committee of Conference was asked for, and the President appointed Councilors Smith and Harrington said committee on part of Council.

The following communications were received and read:

Representatives' Hall,
Salt Lake City, Feb. 19, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed [C. F. 13], on "Special Elections," with amendments, and said Bill is now returned to your honorable body for your action on said amendments.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 19, 1878.

Hon. Lorenzo Snow, President,
and Members of the Legislative Council:

Gentlemen—The House concurs in your amendment to [H. R. No. 1], concerning distribution of Compiled Laws.

Very respectfully,
ORSON PRATT, SEN,
Speaker.

(H. F. 31), "Bill for an Act supplemental to the Penal Code," was taken up, and,

On motion passed its second reading, and was taken up on its third reading by its title, the title read and the Bill so passed.

(H. F. 35), "Amending certain Sections," was taken up, and

On motion of Councilor Thatcher, was referred to committee on Irrigation and Canals.

The following communications were received and read:

Representatives' Hall,
Salt Lake City, Feb. 20, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed (C. F. 28), without amendment, and the same is now returned for enrollment.

Very respectfully
ORSON PRATT, SEN.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 20, 1878.

Hon Lorenzo Snow, President,
and Members of the Legislative Council:

Gentlemen—The House has had under consideration [C. F. 30], "Amending section 1152 of the Compiled Laws of Utah," and the enacting clause has been stricken out.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

[C. F. 12], "Procedure in Civil Cases," was taken up, and,

On motion of Councillor Cluff, passed its second reading, and was taken up on its third reading by its title, the title read, the Bill so passed and was sent to the House.

Councilor Smoot presented the Report of committee on Compilation of the Laws, which was read, and,

On motion of Councilor Raleigh referred to a special committee, consisting of Councilors Raleigh, Harrington and Thurber.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 20, 1878.

To the Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House do not recede from their amendments to section 4, [C. F. 13], and have appointed Messrs. Carrington and Farr committee of Conference on the part of the House.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Council took recess till 2 p m.

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2 p m.

Council resumed its session.

Councilor S. S. Smith, chairman of Conference Committee on Section 4 of [C. F. 13], "Special Elections," reported an amendment, which,

On motion of Councilor E. Snow was adopted, and the section further amended and sent to the House for concurrence in amendment.

The following communications were received and read:

Representatives' Hall,
Salt Lake City, Feb. 20. 1878

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House concurs in your amendment to Section 3 H. F. 31, supplemental to the Penal Code, and the Bill is ordered enrolled.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 20, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has adopted accompanying Memorial to Congress, asking for further legislation on the

Homestead Laws, and it is now forwarded for the action of your honorable body thereon.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Said Memorial was then read, and,

On motion of Councilor Smoot, was adopted.

Councilor Burton presented the following Report:

To the President
and Members of the Legislative Council:

Gentlemen—Your committee, to whom was referred [C. F. No. 27], "A Bill for an Act for the protection of fish and game," herewith return the same with amendments and recommend its passage as amended.

Respectfully,
R. T. BURTON,
Chairman.

Committee Room, Feb. 20, 1878.

Which was read, and on motion of Councilor Callister, accepted.

[C. F. No. 27], "Fish and Game Bill," was taken up on second reading, and,

On motion of Councilor W. R. Smith, passed its second reading by its title, the title read, and the Bill so passed and was sent to the House.

The following communication was recived and read:

Representatives' Hall,
Salt Lake City, Feb. 20, 1878,

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed [H. F. No. 45,] "Reducing the boundaries, and supplementary to the Charter of Springville City" and the same is now forwarded for your action thereon.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

[H. F. No. 45], "Supplementary to the Springville Charter" was taken up, read, and,

On motion of Councilor Smoot, passed its first reading.

The following communication was received and read.

Representatives' Hall,
Salt Lake City, Feb. 20, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House concurs in your amendment to Section 4, (C. F. No. 13), "Special Elections," and the Bill is returned for enrollment.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Councilor Snow presented the following Report:

To the President
and Members of the Legislative Council:

Gentlemen--Your committee on General Incorporations, to whom was referred [C. F. 16], "Bill to enable Corporations to amend their articles of association," respectfully report the same back slightly amended and recommend its passage as amended.

We also submit the following (C. F. No. 31), "A Bill for an Act amendatory and supplementary to 'An Act providing for Incorporating Associations for mining, manufacturing, commercial and other industrial pursuits,' approved Feb. 18, 1870," and recommend its reference.

ERASTUS SNOW,
Chairman.

(C. F. 16), "Bill to enable Corporations to amend their articles of association," was then taken up, amended, and,

On motion of Councilor Burton, passed its second reading, and was taken up on its third reading by its title, the title read, and the Bill so passed and was sent to the House.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 20, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House have adopted the report of the House committee on Municipal Corporations and Townsites, who reported adversely on (C. F. 14) "Amending incorporation act of Logan city," with the view that the amendment requested was incorporated in C. F. 10, already passed.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Council took recess till 7 p.m.

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7 p.m.

Council resumed its session.

The following communications were received from the House:

Representatives' Hall,
Salt Lake City, Feb. 19, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—His Excellency the Governor has notified the House that he has approved (H. F. 26) "Providing for the purchase of Reeord Books, etc."

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 20, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed [H. F. 36] "To Incorporate Silver Reef City," also [H. F. 42] "For the

equalization of the Taxes on transitory herds," and the same are forwarded for your action thereon.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

(H. F. 42), "For the Equalization of Taxes, etc.," was taken up, read, and,

On motion of Councilor Cluff, passed its first reading, and wsa laid on the table.

[H. F. 36], "Incorporating Silver Reef City," was taken up, read, and,

On motion of Councilor Thurber, passed its first reading and was taken up on its second reading, amended, and,

On motion of Councilor Snow, passed its second reading, and was taken up on its third reading by its title, the title read and amended, the bill so passed and was returned to the house.

The following communication was received and read:

Representative Hall,
Salt Lake City, Feb., 1878.

Hon. Lorenzo Snow, President,
and Members of the Council.

Gentlemen—The House has passed (C. F. 27), "Amending Game Law" with amendments, and it is now forwarded for your action on amendments.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Amendments to said bill were read and on motion were concurred in.

Councilor S. S. Smith reported back [H. F. 35], "Amending certain Sections of Compiled Laws," which was read and,

On motion of Councilor Harrington passed its first reading, and was taken up on its second reading, and,

On motion of Councilor S. S. Smith passed its second reading.

The following communication was received and read.

Representatives' Hall,
Salt Lake City, Feb. 20, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council.

Gentlemen—The House concurs in your amendments to (H. F. 36], "Incorporating Silver Reef City."

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

On motion of Councilor Smoot, C. F. 35 was taken up on its third reading, by its title, the title read, and the Bill so passed and was sent to the House.

Councilor Smoot presented the following report:

Hon. Lorenzo Snow, President,
and Legislative Council:

Gentlemen—Your committee on Municipal Corporations and Townsites, to whom was referred (C. F. 7), "An Act to amend An Act, entitled An Act to incorporate Spanish Fork City, respectfully ask to report the same back, and recommend that no further action be taken thereon, as in the judgment of your committee the necessity for such legislation does not at present exist.

A. O. SMOOT, chairman.

On motion of Councilor Callister, report was accepted and recommendation adopted.

Councilor Smoot also presented the following Report:

Hon. Lorenzo Snow, President,
and Legislative Council:

Gentlemen—Your committee on Election, to whom was referred (C. F. 5), "A Bill for An Act to confer on Women the right to hold certain offices," etc., most respectfully report the same back, without amendments, and ask that it be put on its passage.

A. O. SMOOT, chairman.

On motion of Councilor Cluff, report was accepted and Bill taken up on its second reading, pending which,

On motion of Councilor S. S. Smith, it was laid on the table.

Councilor Raleigh presented the following Report:

Committee Room,
Salt Lake City, Feb. 20, 1878.

Hon. Lorenzo Snow, President, and Members of the Legislative Council of the Territory of Utah:

Gentlemen—Your special committee, to whom was referred the report of the committee on Compilation of Laws, report that they have examined the same, and beg leave to report and recommend for your action the accompanying Resolution.

Respectfully, etc.,
A. H. RALEIGH, chairman.

Said Resolution [C. R. 2] was then read.

Minutes read and accepted.

On motion of Councilor Snow, Council adjourned till 10 a.m. to-morrow.

Benediction.

HOUSE.

Representatives' Hall,
Salt Lake City, Feb. 20, 1878. 10 a.m.

House met as per adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Pace presented Petition of C. W. Emerson, Clerk of First District Court, for $366.05. Referred to committee on Claims and Appropriations.

Mr. Preston presented the following:

I move that the committee on Claims and Appropriations be instructed to place upon the Appropriation Bill

the sum of $45.38 (should they find the claim to be just) for the relief of Cache County, for delinquent Territorial taxes, remitted by said County, in conjunction with the County taxes, to relieve indigent persons, and persons who left the County without paying their taxes for the years 1875-6.

WM. B. PRESTON.

Carried.

Mr. Lyman presented the following, which was read:

Committee Room,
Salt Lake City, Feb. 20, 1878.

Mr. Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Revenue, to whom was referred (H. F. 42) "A Bill for an Act for the equalization of taxes on transitory herds," have given the subject attention, and report the same back and recommend its passage.

F. M. LYMAN, chairman.

H. F. 42 was laid on the table to come up in its order.

Mr. Wright presented the following, which was read:

Committee Room, Feb. 19, 1878.

Mr. Speaker, and Gentlemen of the House:

Your committee on Petitions and Memorials, to whom was referred (C. F. 28) "A Bill for an Act to change the name of Ephraim Powell to Ephraim Brettel Bolton," having had the same under due consideration, respectfully report back said Bill without amendment, and recommend its passage.

J. C. WRIGHT, chairman.

On motion of Mr. Milner, [C. F. 28] "Bill to change the name of Ephraim Powell," etc., was taken up on its second reading, and,

On motion of Mr. Sharp, read the third time by its title, and,

On motion of Mr. Milner, passed.

Mr. Peterson presented (H. F. 44) "Bill to better define the boundaries of Sanpete County," which was read, and,

On motion of Mr. Milner, referred to committee on Counties, and,

On motion of Mr. Peterson, committee required to report this afternoon.

Mr. Rockwood presented the following Report, which was read:

Commitee Room, City Hall,
Salt Lake City, Feb. 19, 1878.

Mr. Speaker, and Members of the House:

Gentlemen—Your committee on Municipal Corporations and Townsites, to whom was referred the petition of George Goldthwaite and others, praying for a city charter for Silver Reef, in Washington County, have given the matter careful consideration, and herewith submit a "Bill for an Act to incorporate Silver Reef City," and recommend its passage.

A. P. ROCKWOOD.

On motion of Mr. Milner, [H. F. 36] "To incorporate Silver Reef City," was read the first time, and laid on the table to come up in its order.

Mr. Brown, of committee on Agriculture," etc., reported adversely to the Petition of Joshua Terry and 26 others, concerning keeping sheep away from settlements, and Report was adopted.

The following message was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 18, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council concurs in your amendments to [C. F. 13], on "Special Elections," except that to Section 4, which is non-concurred in, and asks a committee of Conference on the same, and Councilors S. S. Smith

and Harrington are appointed a committee on the part of the Council.

Respectfully,
LORENZO SNOW,
President.

On motion of Mr. Carrington, the House did not recede.

On motion of Mr. Sharp, that a Conference Committee be appointed, the chair named Messrs. Carrington and Farr as said Committee on part of House.

House resumed consideration of H. F. 38, "Bill providing for Registration of voters," etc., on its second reading, which was amended, and,

On motion of Mr. Hatch, House took recess till 2 p.m.

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2 p.m.

House resumed its session.

Roll called. Quorum present.

The following message was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 19, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—His Excellency the Governor has notified the Council that he has approved the following Bills:

[C. F. No. 20), "An Act supplementary to an Act creating the office of Selectmen," etc. (C. F. No. 22), "An Act to change the surname of persons named therein." (C. F. No. 4), "An Act amending certain Sections of Compiled Laws of Utah." (C. R. No. 1), "A Joint Resolution authorizing the Auditor to rent office," etc.

Very respectfully,
LORENZO SNOW,
President.

The following message was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 20, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed [H. F. No. 31], "Supplemental to the Penal Code," with an amendment to 3d section, and the same is now forwarded for your action on said amendment.

Very respectfully,
LORENZO SNOW,
President.

On motion of Mr. Peterson, the House concurred in Council amendment.

Mr. Wright, of committee on Petitions and Memorials, reported (H. M. 2), Memorial to Congress in relation to the Homestead Law, which was read, and,

On motion of Mr. Farr, adopted.

Mr. Rockwood presented the following Report, which was read:

Committee Room, City Hall,
Salt Lake City, Feb. 20, 1878.

Mr. Speaker and Members of the House:

Your committee on Municipal Corporations, to whom was referred C. F. No. 14, have attended to the duties, and report adversely to the concurrence, as the provisions of C. F. No. 10 supersede the necessity of any further action on the subject.

We have also considered H. F. No. 7, and report adversely to any further action thereon.

We have had under advisement the Petition of N. J. Batts and 120 others, and report adversely to any legislation, as the session is so near its close.

We have considered the Petition of David Evans and 68 others, praying for an amendment of the City Charter of Lehi City, and report that we deem it unnecessary to legislate thereon.

To the Memorial of Wm. Holt and 174 others, praying amendments to the City Charter of Spanish Fork City, we report adversely to any amendments.

Finally, we have considered the Petition of D. C Johnson and 25 others, praying for an amendment to the City Charter of Springville, and submit the accompanying Bill, and recommend its passage.

We respectfully ask to be discharged from further duties on the several subjects above reported on.

A. P. ROCKWOOD,
Chairman.

On motion of Mr. Pace, the Report was adopted.

On motion of Mr. Pace, (H. F. No. 45), "Bill reducing boundaries of Springville City," etc., was read the first time, and,

On motion of Mr. Pace, was taken up on its second reading by its title, and,

On motion of Mr. Brown, read third time by its title, and,

On motion of Mr. Pace, passed.

The following message was received from the Council, and read:

Council Chamber,
Salt Lake City, Feb. 20, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed [C. F. No. 12], "A Bill amending Act to regulate proceedings in Civil Cases," and the same is now forwarded for your action thereon.

Respectfully,
LORENZO SNOW,
President.

(C. F. No. 12), "Regulating proceedings in Civil Cases," etc., was read first time, and,

On motion of Mr, Pace, referred to committee on Judiciary.

The following was received from the Council, and read:

Council Chamber,
Salt Lake City, Feb. 20, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives;

Gentlemen—The Council has adopted recommendation of Conference Committee on Sec. 4 of [C. F. 13], "Special Elections," and has further amended said section. The Bill is now forwarded for your action on said amendment.

Very respectfully,
LORENZO SNOW,
President.

On motion of Mr. Lyman, Council amendment to C. F. No. 13 was concurred in.

The House resumed consideration of (H. F. No. 38), "Bill to provide for Registration of voters," etc., on its second reading, pending which the Bill was referred to Committee on Elections, for consideration of certain sections therein.

On motion of Mr. Pace, (H. F. No. 36), "Act to Incorporate Silver Reef City," was read the second time by its title, and,

On motion of Mr. Grover, read the third time by its title, and,

On motion of Mr. Sharp, passed, and,

On motion of Mr. Pace, the title was amended.

(H. F. No. 42), "Equalizing Taxes on transitory herds," was taken up on its second reading, amended, and,

On motion of Mr. Sharp, read third time by its title, and,

On motion of Mr. Attwood, passed.

The following message was received from the Council, and read:

Council Chamber,
Salt Lake City, Feb. 20, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives.

Gentlemen—The accompanying Bill (C. F. 16), "On

Corporations," has passed the Council, and is now forwarded to your honorable body for your action.

Respectfully,
LORENZO SNOW,
President.

(C. F. No. 16), "On Corporations," was read first time and,

On motion of Mr. Lyman, was read second time by sections, and,

On motion of Mr. Pace, referred to Committee on Judiciary.

Mr. Pace presented the following Report, which was read:

Committee Room, City Hall,
Feb. 20, 1878.

Mr. Speaker,
and Members of the House of Representatives:

Your Committee on Counties, to whom was referred [H. F. No. 44], "Defining the boundaries of Sanpete county," return the same to the table with the recommendation that it do not pass.

W. B. PACE,
Chairman.

On motion of Mr. Sharp, the Report was accepted.

On motion of Mr. Lyman, House took recess till 7 p.m.

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7 p. m.

House resumed its session.

Roll called. Quorum present.

The following message from the Council was received, and read:

Council Chamber,
Salt Lake City, Feb. 20, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed [C. F. No. 27], "Game Bill," which is now forwarded for your action thereon.

Council has also adopted [H. M. No. 2], "In relation to Homestead and other Land Laws," and the same is returned for enrollment.

Respectfully,
LORENZO SNOW,
President.

(C. F. 27), "Bill for the preservation of game," was read the first time, and,

On motion of Mr. Smith, was taken up on its second reading by sections, amended, and,

On motion of Mr. Sharp, was read the third time by its title, and,

On motion of Mr. Birch, passed.

Mr. Brown, of committee on Agriculture, etc." reported back [H. F. 41], "Relating to the catching of fish by the use of seines," with amendments, which were read:

On motion of Mr. Milner, the report was adopted.

The Bill was taken up on its second reading by sec tions, amended, and,

On motion of Mr. Milner, recommitted to committee on Agriculture, etc.

Mr. Hatch presented the following, which was read:

I move that the committee on Roads, Bridges, Ferries and Canyons, be instructed to take under advisement and report if, in their judgment, the public interests of the Territory would be enhanced sufficiently to warrant the committee on Claims and Appropriations to insert the sum of $1,000.00 in the General Appropriation Bill, the sum to be drawn by and expended under the direction of the County Court of Wasatch County, to improve the road between Heber City and Ashley City, one-half to be drawn in 1878, the other half to be drawn in 1879, on a statement of the clerk of the County Court that judicious and honest work to the amount of the appropriation has been done.

A. HATCH.

Carried.

Mr. Grover presented the following, which was read:

Committee Room, Feb. 20, 1878.

Mr. Speaker, and Members of the House:

Gentlemen—Your committee on Roads, Bridges, Ferries and Canyons, to whom were referred the Petitions of C. E. Bolton and 26 others, and the citizens' committee of Monroe, Central, Annabella, and Glenwood, Sevier County, and the motion of the Representative from Washington and Kane Counties, asking for appropriations by the Territory for opening and repairing roads, beg leave to report as follows:

We recommend, in response to the Petition of C. E. Bolton, *et al.*, that the committee on Claims and Appropriations be instructed to insert in the general Appropriation Bill, the sum of $2,500.00, to be drawn and expended by the County Court of Sevier County, in opening a road from Joseph City, Sevier County, to Marysvale in Piute County.

In response to the Petition of the citizens' committee of Monroe, Central, Annabella, and Glenwood, Sevier County, we report adversely, and do not recommend the appropriation asked for.

In response to the motion of the Member from Kane and Washington Counties, we recommend instructing the committee on Claims and Appropriations to insert in the General Appropriation Bill the sum of $3,000, to be drawn and expended as follows: $2,250 to be drawn and expended by the County Court of Kane County, for widening dugways, removing rocks from the road and generally repairing and straightening the Territorial road from the head o. the Black Ridge dugway to the southern boundary of Kane County, provided Kane County will appropriate the sum of $750.00 for the same purpose, one-half of the entire sum to be drawn and expended in the year 1878, and one-half to be drawn and expended in the year 1879; and $750.00 to be drawn and expended by the County Court of Washington County in widening, straightening, removing rocks from and generally repairing the Territorial road from the City of St. George to the northeastern boundary of Washington County, provided Washington County will appropriate for the

same purpose the sum of $250 00, one-half of the entire sum to be drawn and expended in the year 1878, and one-half to be drawn and expended in the year 1879.

JOEL GROVER, chairman.

On motion of Mr. Milner the report was laid on the table till called for.

The following message was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 20, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed (H F. 36) "Incorporating Silver Reef City," with amendments, and the bill is now returned for your concurrence in amendments. Your amendments to C. F. 27 are all concurred in.

Respectfully,
LORENZO SNOW,
President.

Council amendments to (H. F. 36) "Incorporating Silver Reef City," were read, and,

On motion of Mr. Lyman, were concurred in.

Mr. Milner, of Judiciary Committee, reported back (C. F. 12) "Amending Civil Practice Act," with an additional section, and recommended its passage.

The amendment was read, and,

On motion of Mr. Pace, was accepted.

C. F. 12 was taken up on its second reading by sections, and,

On motion of Mr. Pace, the enacting clause was stricken out.

Minutes read and accepted.

On motion of Mr. Hatch, House adjourned till tomorrow morning at 10 o'clock.

Benediction.

THURSDAY, FEBRUARY 21, 1878.

COUNCIL.

Council Chamber,
Salt Lake City, Feb. 21, 1878.

Council convened at 10 a.m.
Roll called. Quorum present.
Prayer by the Chaplain.
The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 20, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has stricken out the enacting clause of C. F. 12, "Amending Civil Practice Act."

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

(C. F. 6), "Amending Compiled Laws," was taken up, and,

On motion of Councilor Burton, passed its second reading, and, was taken up on its third reading, by its title, the title read, and the Bill so passed and was sent to the House.

Councilor Burton presented the following Report:

Hon. Lorenzo Snow, President,
and Members of the Legislative Council:

Gentlemen—Your committee on Agriculture, Trade and Manufactures, to which was referred a communication from His Excellency, Governor Emery, enclosing letter and documents from the Department of Agriculture, Washington, D. C., in relation to exhibits of American Agricultural products, at the Paris Exposition, for 1878, have had the matter under advisement, and, while we recognize the importance of Utah being properly represented at the World's Fair, at Paris, 1878, owing to the

shortness of the time and the great distance necessary to transport articles for exhibition, together with the lack of funds in the Treasury of the Territory, we are reluctantly obliged to report unfavorably upon the proposition.

R. T. BURTON, chairman.

Council Chamber, Feb. 21, 1878.

On motion of Councilor Raleigh, report was accepted and recommendation adopted.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 21, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House do not concur in your amendment to Section 5, [H. F. 35], "Irrigation Bill." The other amendments to the Bill are concurred in.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

[C. F. 31), "Supplemental to An Act Providing for Incorporating Associations," was taken up, read, and,

On motion, passed its first reading.

Councilor Burton presented the following Report:

Committee Room, City Hall,
Salt Lake City, Feb. 21, 1878.

Hon. Lorenzo Snow, President,
and Members of the Legislative Council:

Gentlemen—Your committee on Revenue, to whom was referred (C.F.25), a "Bill for an Act authorizing counties to issue bonds," herewith return the same without amendment, and recommend it be put upon its passage.

Very respectfully,
R. T. BURTON, chairman.

On motion, Report was accepted.

(C. F. 31), "On Incorporations," was taken up on second reading, and,

On motion, passed second reading.

(H. F. 45), "Amending Charter of Springville City," was taken up on second reading, pending which,

On motion, it was laid on the table.

(H. F. 42), "Equalization of Taxes," taken up on second reading, and,

On motion of Councilor Cluff, passed its second reading, and was taken up on its third reading by its title, the title read, and the Bill so passed, and sent to the House.

The following communication was received and read.

Representatives' Hall,
Salt Lake City, Feb. 21, 1878.

Hon. Lorenzo Snow, President;
and Members of the Council:

Gentlemen—The House has passed (C. F. 6,) "Amending section 1806," with amendments, and forwards same for your action on said amendments.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Said amendments were read, and,

On motion of Councilor Burton, bill was laid on the table.

(C. F. 5), Conferring on Women the right to hold office," taken up, and

On motion of Councilor Smoot, passed second reading.

The following communication was received and read:

Representatives Hall,
Salt Lake City, Feb. 21, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council.

Gentlemen—The House has passed (H. F. 38), "Providing for the Registration of Voters," &c., and said Bill is now forwarded for your action thereon.

Very respectfully,
ORSON PRATT, SEN,
Speaker.

[C. F. 25], "Counties to Issue Bonds," was taken up, and,

On motion of Councilor Raleigh, passed its second reading, and was read third time by its title and sent to the House.

[H. F. 45], "Springville Charter," was taken up, and,

On motion, passed its third reading by its title, and was sent to the House.

[H. F. 35], "Irrigation Bill," taken up for re-consideration of amendments.

On motion of Councilor W. R. Smith, a Committee of Conference was asked on said H. F. 35. The President appointed Councilors W. R. Smith and R. T. Burton said Committee on part of Council.

Council took recess till 2 p.m.

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2 p.m.

Council resumed its session.

[C. F. 6], "Amending section 1806, &c., Compiled Laws," taken up, and,

On motion, amendments were concurred in, and an additional section adopted, and Bill sent to the House

[C. F. 31], "Supplemental to an Act Providing for Incorporating Associations," was taken up, and,

On motion of Councilor E. Snow, passed its third reading by its title and was sent to the House.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 21, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—[C. F. 25], "Authorizing Counties to issue bonds on Conditions," has been laid on the table indefinitely.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Councilor Thurber presented the following motion:

To the President
and Members of the Legislative Council:

Gentlemen—I move that the committee on Claims and Appropriations be instructed to insert in the Territorial Appropriation Bill the sum of $300 00, to aid the citizens of Eastern Kane County in opening a road from Upper Kanab to Kanab, through the Kanab Canyon.

A. K. THURBER.

Carried.

(H. F. 38), "Election Bill," was then taken up.

On motion of Councilor Harrington, passed its first reading.

The following communications were received and read:

Utah Territory, Executive Office,
Salt Lake City, Feb. 21, 1878.

Hon. Lorenzo Snow, President of the Council:

Sir—I have the honor to inform you that I have this day approved, and filed with the Secretary of the Territory, [C. F. No. 28] entitled, "An Act to change the name of Ephraim Powell to Epnraim Brettel Bolton," and [C. F. No. 15], entitled, "An Act defining the manner of determining disputed County Boundary Lines."

Very respectfully,
GEO. W. EMERY,
Governor, U. T.

Representatives' Hall,
Salt Lake City, Feb. 21, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—Your additional section (3) to C. F. 6, is concurred in by the House. The Bill is herewith returned for enrollment.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 20, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House is in receipt of a communication from His Excellency, the Governor, setting forth that he has this day approved (H. F. 39), "In relation to proving the Records, and Mining Rules and Regulations," etc.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb., 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has appointed Messrs. Grover, Fisher and Farr, Conference Committee on the part of the House on [H. F. 35], "Irrigation Bill."

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

[H. F. 38], "Election Bill," was then taken up on its second reading by sections, pending which,

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 21, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—[C. F. No. 16], "To Enable Corporations to Amend their Articles of Association," has been reported on adversely by the Judiciary Committee of the House, and their report has been adopted.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Councilor Raleigh presented [C. F. 32], "For Amending Charters of Incorporated Cities," &c., which was read, and,

On motion of Councilor S. S. Smith, was laid on the table indefinitely.

Council took recess till 7 p.m.

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7 p. m.

Council resumed its session.

The following communication was received and read:

Utah Territory, Executive Office,
Salt Lake City, Feb. 21, 1878.

Hon. Lorenzo Snow, President Legislative Council:

Sir—I return herewith [C. F. No. 10], "An Ac- Amending the Charters of Incorporated Cities," which I cannot approve in its present shape. If changed by striking out that portion of section 1 marked on the bill, and all of sections 2 and 3; also striking out section 5, and substituting a new section therefor, a copy of which is herewith enclosed, also inserting a repealing section of all acts in conflict therewith, the bill will be unobjectionable to me. Respectfully,

GEO. W. EMERY,
Governor.

On motion of Councilor Smoot, the Bill was reconsidered, and,

On motion of Councilor Raleigh, the recommendations of the Governor were adopted, but the Bill was made applicable only to the Cities of Salt Lake, Provo, Ogden and St. George, and ordered to lay on the table till to-morrow.

Council took recess till 8.45.

8.45.

Council resumed its session.

On motion of Councilor S. S. Smith, (H. F. 38), "Registration of Voters," etc., was made the special order for 10 a.m. to-morrow.

Minutes read and accepted.

Adjourned till 10 a.m. to-morrow.

Benediction.

HOUSE.

Representatives' Hall,
Salt Lake City, Feb. 21, 1878. 10 a.m.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by Chaplain.

The following communication was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 20, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed [H. F. No. 35), "Amending certain Sections," etc., with amendments, and the same is now returned for your concurrence in the amendments.

Very respectfully,
LORENZO SNOW,
President.

Council amendments to [H. F. No. 35], "Amending certain Sections of Compiled Laws of Utah," were read, and

On motion of Mr. Sharp, the House did not concur.

Mr. Smith, of Committee on Elections, reported back (H. F. No. 38), "Providing for the Registration of Voters," etc., with amendments, which were read, amended, and concurred in as amended. The Bill was further amended, and,

On motion of Mr. Milner, read third time by its title, and,

On motion of Mr. Grover, passed.

On motion of Mr. Milner, the title was amended.

The following message was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 21, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed (C. F. No. 6), "Amending Compiled Laws," and the same is now forwarded to your honorable body for your action.

Also accompanying Resolution (C. R No. 2), "Compilation Laws."

Respectfully,
LORENZO SNOW,
President.

(C. F. No. 6), "Amending Section 1806, Compiled Laws of Utah," was read first time, and,

On motion of Mr. Sharp, was taken up on its second reading, amended, and,

On motion of Mr. Carrington, read third time by its title, and,

On motion of Mr. Grover, passed, and,

On motion of Mr. Sharp, the title was amended,

Council Concurrent Resolution 2, concerning paying for Compiling Laws of Utah, was read, amended, and,

On motion of Mr. Carrington, referred to Committee on Claims and Appropriations.

Mr. Smith presented the following motion, which was read:

Mr. Speaker,

I move that the Committee on Library be instructed to report as to what officers, if any, are to be elected by the joint vote of the Legislative Assembly, as that duty was assigned said committee.

Respectfully,
W. G. SMITH.

Mr. Brown, of Committee on Agriculture, reported adversely to Petition of 73 inhabitants of Davis county, for legislation prohibiting cattle running at large, etc., and,

On motion of Mr. Attwood, Report was adopted.

Mr. Pace, of Committee on Library, presented the following Report, which was read:

Committee Room,
Salt Lake City, Feb. 20, 1878.

Mr. President,
and Members of the House of Representatives:

Gentlemen—Your Committee on Library, to whom were referred instructions to determine the number and kind of Officers to be elected by joint vote of the Legislative Assembly at its present session, find as follows:

One Chancellor of the Deseret University,
Twelve Regents of the Deseret University,
One Treasurer of the Deseret University,
One Territorial Treasurer,
One Auditor of Public Accounts,
One Territorial Surveyor-General,
One Librarian,
One Recorder of Marks and Brands,
One Territorial Road Commissioner,
Three Directors of the Penitentiary,
One Warden of the Penitentiary,
One Sealer of Weights and Measures.

Your committee therefore recommend that the Council be requested to meet the House in joint session tomorrow at 3 p.m., for the purpose of election.

Respectfully,
W. B. PACE,
Chairman.

On motion of Mr. Sharp, the Report was laid on the table till called for.

The following message was received from the Council, and read:

Council Chamber,
Salt Lake City, Feb. 21, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed (H. F. No. 42),

"Equalization of Taxes," without amendments, and re urns the same for enrollment.

Respectfully,
LORENZO SNOW,
President.

Mr. Grover presented the following, which was read:

Mr. Speaker, and Members of the House:

Gentlemen—Your committee on Roads, Bridges, etc., to whom was referred the motion of the honorable member from Wasatch, asking for an approriation of $1,000 for the improvement of the road between Heber and Ashley cities, Wasatch County, beg leave to report adversely upon said motion. We do not, in our judgment, think the public interest of the Territory would warrant our recommendation that the committee on Claims and Appropriations should insert the sum of $1,000 in the general Appropriation Bill therefor.

Very respectfully,
JOEL GROVER,
Chairman.

On motion of Mr. Smith, the Report was adopted.

Minutes were read.

On motion of Mr. Pace, House took recess till 2 p.m.

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2 p m.

House resumed its session.

Roll called. Quorum present.

The following was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 21, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed (C. F., 25) "Authorizing Counties to issue bonds," and the same is now forwarded to your honorable body for your action thereon.

[H. F. 45] "Amending Springville Charter," has also passed the Council, and is now returned for enrollment.

Very respectfully,

LORENZO SNOW,

President.

[C F. 25] "Authorizing Counties to issue bonds," etc., was read the first time, and,

On motion of Mr. Smith, was read the second time by sections, and,

On motion of Mr. Carrington, was laid on the table indefinitely.

Mr. Pace presented bill of Mrs. Miller, of $91.00, for meals furnished to jurymen and officers of the First District Court, which was referred to the committee on Claims, etc.

The following was received from the Council, and read:

Council hamber,

Salt Lake City, Feb. 21, 1878.

Hon. Orson Pratt, Sen., Speaker,

and Members of the House of Representatives.

Gentlemen—The Council concurs in all House amendments to [C. F. 6] "Amending certain sections of Compiled Laws," and has adopted an additional Section, for your concurrence in which the Bill is now returned.

Also has passed [C. F. 31] "For Incorporations," etc., which is forwarded for your action.

Very respectfully,

LORENZO SNOW,

President.

Council amendment to C. F. 6 was read, and,

On motion of Mr. Lyman, the House concurred.

The following was received from the Governor, and read:

Executive Office.

Salt Lake City, Feb. 21, 1878.

Hon. Orson Pratt, Sen.,

Speaker of the House of Representatives:

Sir—I have the honor to inform you that I have this day approved, and filed with the Secretary of the Terri-

tory, [H. F. No. 39] entitled "An Act to amend an Act entitled an Act in relation to proving the records and mining rules and regulations of the mining districts of this Territory," and for other purposes.

Very respectfully,
GEO. W. EMERY,
Governor, U. T.

[C. F 31]. "Providing for incorporating," etc., was read the first time, and,

On motion of Mr. Smith, referred to committee on Private Incorporations.

The following message was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 21, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council asks a committee of conference on (H. F. 35), "Irrigation Bill," and has appointed Councilors W. R. Smith and R. T. Burton said committee on part of Council.

Respectfully,
LORENZO SNOW,
President.

On motion of Mr. Farr, that a Conference Committee be appointed, the Speaker designated Messrs. Grover, Fisher, and Farr said committee on part of the House.

Mr. Brown, of committee on Agriculture, reported back (H. F. 41), with a substitute bill.

(H. F. 46), substitute bill, "Concerning taking Fish out of Public Waters," was read first time, and,

On motion of Mr. Attwood, adopted, and,

On motion of Mr. Smith, was taken up on its second reading by sections, amended, and,

On motion of Mr. Preston, referred back to committee on Agriculture, and,

On motion of Mr. Birch, Mr. Farr was added to the committee for consideration of the bill, and,

On motion of Mr. Taylor, Mr. Preston was also added to the committee, and,

On motion of Mr. Attwood, Mr. Rockwood was also added to the committee.

Mr. Young presented bill of "Deseret News" office for $72.50, which was referred to committee on Claims and Appropriations.

Mr. Farr, of committee on Judiciary, presented the following, which was read:

Committee Room, City Hall,
Salt Lake City, Feb. 19, 1878.

Mr. Speaker and Members of the House:

Gentlemen—Your committee, to whom was referred (C. F. 16), would report that we have had said Bill under careful advisement, and in many respects considerable good might result by the passage of such a bill, yet we are satisfied that great harm might also result therefrom. We, therefore, do not consider it expedient to pass the Bill, and respectfully ask leave to return it to the table for the action of the House thereon.

Respectfully, etc.,
LORIN FARR,
Chairman of committee on Judiciary.

On motion of Mr. Pace, the Report was adopted.

The following was received from the Council, and read:

Council Chamber,
Salt Lake City, Feb. 21, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—His Excellency the Governor has just notified the Council that he has this day approved the following Bills—(C. F. No. 28), entitled "An Act to change the name of Ephraim Powell, to Ephraim Brettel Bolton," and (C. F. No. 15), entitled "An Act defining the manner of determining disputed County Boundary Lines."

Respectfully,
LORENZO SNOW,
President.

Mr. Milner presented the following, which was read:

Mr. Speaker, and Members of the House:

Gentlemen—Your Special Committee, to whom was referred the matter of the investigation of Judicial Expenses, now report that we have examined a number of witnesses, and have used all means available in eliciting information on the subjects referred to us, and from the testimony taken we find the following facts:

That in the first Judicial District there have been fines assessed amounting to $660.00, and recognizances forfeited amounting to $3,300.00. Of these amounts there has been collected $900 00, which amount was paid to U. S. Marshal Nelson.

In the Second Judicial District we have been unable to learn the amount of fines assessed, the amount of forfeited recognizances, is $500 00. The amount collected in said District is $8.35, which the clerk claims he has credited to the Territory in his personal account—your committee have failed to learn by what authority.

In the Third Judicial District the amount of fines assessed is $589.00. The recognizances forfeited, $1000.00.

Your committee have been unable to ascertain the amount collected, but do find that the parties fined were committed to the custody of U. S. Marshal Nelson, until such fines were paid, and have been discharged from custody.

The committee further find that on the 19th day of January, 1878, after your committee had commenced their investigations, William Nelson, the U. S. Marshal, rendered the Third District Court certain accounts against the Territory of Utah, for supplies for the Utah Penitentiary, and for carpets and ice for offices and Court Room, and for other similar expenses, amounting to $1,338.13, in which said account he admits having received from fines and forfeited recognizances amounting to $1240.00, and on said day the said Third District Court "ordered that the said accounts be and are hereby approved." And we further find that no appropriation whatever has been made to pay any items of the before-named accounts.

Your committee have examined several witnesses on the subject of Penitentiary supplies and expenses, to ascertain whether any of these accounts were properly and justly chargeable to the Territory, but were beset with difficulties at almost every step, as the witnesses, in nearly every instance, testified that they had been paid therefor, and had signed vouchers to the United States Treasury. In some cases the vouchers were signed entirely blank, in other cases one voucher was filled in, and the duplicate and triplicate signed blank, and in many cases the vouchers were for accounts far in excess of the money paid.

We have avoided, as much as possible, inquiry into matters for which the United States had paid, deeming it beyond our jurisdiction, but we found that Marshal Nelson had so mixed up Territorial with United States expenditures that it was impossible to learn anything of Territorial matters without more or less inquiring into what had been paid by the U. S. Treasurer.

Your committee learning that the Congressional committee on Expenditures in the Judiciary department had commenced an investigation of Marshal Nelson's accounts, and fearing that our motives might be misconstrued, should we prosecute further inquiry in that regard, ceased investigating this matter further, and can only report that in our judgment U. S. Marshal Wm. Nelson has misappropriated Territorial funds to the amount of at least $1,240, and that sum is now justly due the Territorial Treasury from him.

Your committee, are informed that Marshal Nelson has resigned, and that he has not sufficient property within the Territory from which the said amount might be raised on the execution of any judgment, and in view of these facts, and the further fact that the U. S. Marshal of Utah gives bonds only to the U. S., we recommend that your honorable body communicate with the Attorney General of the United States, requesting him to deduct the said amount from any moneys that may be found due from the U. S. to the said Marshal Nelson, to be paid into the treasury of the Territory of Utah. There was also evidence before us showing that there were many irregularities in the disbursement of U. S. funds for court purposes, which

in view of the congressional investigation we deem it inexpedient to report, and also ask for the same reason to be excused from reporting the names of those witnesses summoned before us who declined to answer our questions.

Your committee further report that the evidence before us tends to show that the same expenses in some cases have been paid by the United States, and also have been paid by, or are charged to, the Territory of Utah, and that many expedients have been employed to increase fees, and that, as the offices of Territorial and District Attorneys have been abolished by act of Congress, the Territory has no means of being represented in the court for the examination of any account or otherwise.

We further find that accounts have been brought into court and approved by the courts of the Territory without any examination whatever, except that the officer claiming the fees has sworn to their correctness. In our opinion it is impossible to determine what portion of the expenses of court is justly chargeable to the Territory unless some system can be devised and adopted whereby the disbursing officers of the Territory can have an opportunity of, in some manner, inquiring into and examining claims. Your committee recommend that the Auditor of Public Accounts be authorized and instructed not to audit any account whatever of court expenses until after such account shall have been examined and approved by counsel to be employed by him, or if disapproved by counsel to have been retaxed in the proper court, and that, whatever appropriation may be made for future expenses, it be made one-fourth for the expenses of the First District Court, one-fourth for expenses of Second District Court, and one-half for the expenses of the Third District Court, and ask to be discharged from further service in this regard.

JOHN B. MILNER,
Chairman.

On motion of Mr, Pace, the report was adopted.

Mr. Pace presented the following, which was read:

Mr. Speaker—For the information of the House, I would like to ask the gentlemen of the special committee

whether or not they have any information in their possession that would show in what manner has been expended the amount of $23,400 allowed by Congress for the per diem and mileage of members and the per diem of officers of the last session of the Legislative Assembly.

W. B. PACE.

Minutes read.

On motion of Mr. Milner, House took recess till 7 p. m.

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7 p.m.

House resumed its session.

Roll called. Quorum present.

Mr. Rockwood presented the following, which was read:

Committee Room,
Salt Lake City, Feb. 21, 1878.

Mr. Speaker,
and Members of the House of Representatives:

Gentlemen—Your Committee on Claims and Appropriations, to whom was referred claims of J. R. Wilkins, Clerk of the Second District Court, U. T., for amount disbursed for official expenses in purchasing certain kinds of property, office furniture, etc., as per voucher presented for the years 1874, 5, 6 and 7, amounting to $521.58, have examined the statutes of Utah and have failed to find any authority given to Clerks of the District Courts to make such purchases, but, in making such examination, your committee learned that Section 52 of Compiled Laws of Utah provides, among other things, that "Territorial officers or agents, having the care, custody, purchase or expenditure of any money or property, shall, on or before the first day of December in each year, report, to the Auditor of Public Accounts, an accurate invoice of the property on hand, with accompanying vouchers for the property purchased during the year," and your committee have learned, from the Auditor, that J. R. Wilkins, Clerk, as aforesaid, has not reported as by law required. Hence your committee conclude that J. R. Wilkins, Clerk, as aforesaid, has no such property on hand that he considers the property of this Territory, and your

committee report adversely to appropriating said amount of $521.58.

Also claim of J. R. Wilkins, Clerk, as aforesaid, for services for 1874 and 5 in Second District Court, in amount $565 25, and report adversely upon said claim, as it should be paid out of the appropriation of $23,400. made by Congress to pay mileage per diem of the members and officers of the Legislature of Utah Territory for 1876, which was diverted to pay the Court expen- of 1874 and 5.

Your committee have also considered the Petition of J. R. Wilkins, Clerk, as aforesaid, asking for appropriation in the sum of $410.90, for services in Second District Court in 1877, and recommend that the sum of $371.90 be placed upon the Appropriation Bill for his relief.

Your committee have also considered claim of C. S. Hills, Clerk of Third District Court, for service in said Court for 1877, in the sum of $437.45, and recomend that the sum of $347.45 be placed upon the Appropriation Bill for his relief.

Your committee have also considered the claim of C. W. Emerson, Clerk of the First District Court, for service, as Clerk of said Court, in the sum of $365.95, and recommeed that the sum of $257.95 be placed upon the Appropriation Bill for his relief.

We recommend that the documents reported adversely upon may be withdrawn from the table by those who presented them.

A. P. Rockwood,
F. M. Lyman,
Lorin Farr.

On motion of Mr. Hatch, the Report was accepted.

The Standing Committees of the House were called upon to report.

Mr. Grover, of Committee on Irrigation, reported that the committee had not had time to draft a substitute Bill for (H. F. No. 20), concerning "Right to and use of water," etc., and moved that it be laid ove as unfinished business.

Carried.

Mr. Grover also presented Report of Auditor of Public Accounts concerning Rio Virgen bridge, and wished it to be laid over as unfinished business.

On motion of Mr. Pace, laid on the table till called for.

Mr. Pace, of committee on Counties, reported adversely to (H. F. 35) "Bill in regard to County boundaries," being unfinished business of last session.

On motion of Mr. Carrington, the Report was adopted.

Mr. Grover, of committee on Irrigation and Canals, presented Report of Scipio Irrigation Company, which was laid on the table, to be sent to the Auditor of Public Accounts.

Mr. Young, of committee on Militia, reported adversely to Petition of Utah Rifle Association.

Report adopted.

Mr. Brown, of committee on Agriculture, presented report of Deseret Agricultural and Manufacturing Society, which was laid on table, to be sent to the Auditor of Public Accounts.

Mr. Milner presented (H. F. 47), "Bill to amend 2,386 of the Compiled Laws of Utah," which was read first time, and,

On motion of Mr. Milner, was taken up on its second reading, and,

On motion of Mr. Farr, was read third time by its title, and,

On motion of Mr. Brown, passed.

Mr Attwood presented (H. F. 47), "Bill amending boundary lines of Wasatch County," which was read the first time, and,

On motion of Mr. Hatch, referred to committee on Counties.

Mr. Pace, of committee on Counties, reported adversely on (H. F. 48), "Changing the boundary of Wasatch County," and,

Report was adopted,

Mr. Rockwood presented the following, which was read:

Committee Room,
Salt Lake City, Feb. 21, 1878.

Mr. Speaker, and Members
of the House of Representatives:

Gentlemen—Your committee on Claims and Appropriations, to whom was referred Petition of Jerome P. Cross. ex-deputy U. S. Marshal, asking for an appropriation in the sum of $615.21⅔-100, for services rendered in his official position in the year 1875, report adversely upon said petition, as his services should be paid out of the mileage and per diem of the members of the Legislature of 1876.

Also the petition of Mrs. Morilla Miller, asking an appropriation of the sum of $91.00, for boarding jurymen, etc., in First District Court, has had our attention, and we report adversely to appropriating said sum.

Also the petition of Martin Florida has received our attention, in which he asks an appropriation in the sum of $499.75, for services rendered in making arrest of one Wm. Kelly, in obedience to requisition of the Governor, and recommend that the sum of $499,75 be placed upon the Appropriation Bill tor his relief.

A. P. ROCKWOOD,
Chairman.

On motion of Mr. Pace, laid on the table until called for.

On motion of Mr. Pace, of the Committee on Library, the Council was requested to meet with the House in joint session, to-morrow at 3 p. m., for the election of certain Territorial Officers.

Minutes read and accepted.

On motion of Mr. Sharp, House adjourned till tomorrow morning at 10 o'clock.

Benediction.

FRIDAY, FEBRUARY 22, 1878.

COUNCIL.

Council Chamber,
Salt Lake City, Feb. 22, 1878.

Council met at 10 a.m.
Roll called. Quorum present.
Prayer by the Chaplain.
The following communications were received and read:

Representatives' Hall,
Salt Lake City, Feb. 21, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed (H.F. 47) "Amending Section 2386 of Compiled Laws," and now forwards same for the action of your honorable body thereon.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 21, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House request the Council to meet in Joint Session, to-morrow, 22d inst., at 3 o'clock p.m.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

On motion of Councilor Burton, Council concurred in meeting in joint session at 3 p.m. to-day.

Councilor W. R. Smith, chairman of Conference Committee, appointed to reconsider Section 5 of (H.F. 35) "Irrigation Bill," recommended that the Council recede from their amendment to said section.

On motion of Councilor Smoot, Council adopted the recommendation of committee.

Councilor Thatcher presented the following Report:

Committee Room, City Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Legislative Council:

Gentlemen—Your Special Committee, to whom you gave instructions and authority to examine and destroy redeemed Auditor's Warrants, respectfully report that they, acting with a like committee from the House, have carefully examined all Warrants redeemed by the Territorial Treasurer during the years 1876 and 77, the same aggregating $94,325.33. We found each Warrant cancelled as provided by law, and, having compared them with the stubs thereof, now on file in the office of the Auditor of Public Accounts, and finding that they agreeed therewith both as to numbers and amounts, and the stubs being checked, your committee burned all of said redeemed warrants. Being subsequently by your honorable body further instructed, carefully listed, checked and found the aggregate amount of Auditor's Warrants redeemed by the Treasurer during the years 1870 and 71 to be $59,194.65, which amount corresponds with the Territorial Treasurer's reports for the years named. These Warrants, as we learned, were examined, cancelled and checked by committees, duly authorized by former Legislative Assemblies, to cancel and file said warrants with the Territorial Treasurer, who by recent communication to the House requested their destruction. The Council finding no good reason for the continuation of the filing, gave instructions and all of said Warrants has been destroyed.

Your committee having performed your requirements regarding these matters, ask the Council to adopt their report, and discharge them accordingly.

Very respectfully,

M. THATCHER,
A. K. THURBER,
Special Committee.

Report read, and, on motion of Councilor Burton, was accepted and committee discharged.

Councilor Harrington presented the following Report:

Committee Room, City Hall.
Salt Lake City, Feb. 22, 1878.

Mr. President, and Members of the Council.

Gentlemen—Your Committe on Judiciary, to whom was referred (C. F. 29), "Bill for An Act for the relief of occupying claimants of lands, with authority to print, have had the same printed, and respectfully represent that the committee consider some of the provisions are of great importance and worthy of careful consideration, but that time will not permit them to do so at the present session, and therefore recommend that the Bill be not put upon its passage at this session, but that it lie over as unfinished business.

Respectfully,

L. E. HARRINGTON,
Chairman.

Report read, and,

On motion of Councilor Callister, Report was accepted and Bill laid on the table accordingly.

Councilor Callister presented the following Report;

Committee Room, City Hall,
Salt Lake City, Feb. 21, 1878.

Hon. Lorenzo Snow, President,
and Members of the Legislative Council:

Gentlemen—Your Committee on Public Domain and School Land, to whom was referred the report of the

Commissioners to locate University Lands, and the motion of Councilor Burton, relating to the School Lands of the Territory, respectfully desire to state that owing to the limited time which they have been able to devote, they have not been able to secure as much information on the important subject of University and School Lands in the Territory, as they desired but herewith submit for the approval or otherwise of your honorable body a Memorial to the Congress of the United States, praying for An Act to enable the Territory to dispose of School Lands, and also Resolution, conveying instructions to the Commissioners to locate University Lands.

Very respectfully,
THOMAS CALLISTER,
Chairman.

Report was read, and,

On motion of Councilor Raleigh, was accepted, and the Memorial and Resolution were read and adopted.

On motion of Councilor Snow, Council reconsidered their action on [C. F. 10] "City Charters," and the Bill was amended so as to make it general, and was sent to the House.

The following communications were received and read:

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed [H. F. No. 49], "Amending certain Sections of the Compiled Laws of Utah in relation to Militia," and forward same for the action of your honorable body thereon.

Very respectfully,
ORSON PRATT, SEN.,
Speaker

H. F. 38, "Election Bill," was then taken up, and amended, pending its consideration,

The following communications were received and read:

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House concurs in your adoption of the suggestions of his Excellency the Governor to (C. F. 10), "On Incorporated Cities."

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Representatives Hall,
Salt Lake City, Feb. 22. 1878.

Hon. Lorenzo Snow, President
and Members of the Council:

Gentlemen—The House has adopted [C. M. 1], to Congress concerning School Lands, and the same is returned for enrollment.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Council took recess till 2 p. m.

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2 p.m.

Council resumed its session, and asked the House for a postponement of Joint Session from 3 p. m. to 7 p. m. to-day.

The reading of (H. F. 38), "Election Bill,,' was resumed.

Pending which, the following communications were received and read:

Utah Territory, Executive Office,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President of the Council:

Sir—I return herewith, not approved, [C. F. No. 8], entitled "An Act Providing for the Health and Safety of Persons Employed in Coal Mines."

The general purpose of the Bill is humane and laudable, but coal mining has not yet progressed so far as to call for such particular regulation in this Territory. The main objects of the bill for some time to come will practically be accomplished by coal miners themselves, and they may be safely left to them until coal mines are more extensively worked. There are, in my mind, serious objections to certain details of the Bill, that I should deem it necessary to point out, if legislation on this subject was deemed desirable, but in my judgment any legislation now is premature.

Very respectfully,
GEO. W. EMERY,
Governor, U. T.

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

The House has concurred in your proposition to meet in Joint Session at 7 p. m. to-day, instead of 3 p. m. as at first designed.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Reading of "Election Bill" resumed, and,

On motion of Councilor Burton, Bill passed its second reading, and, was taken up on its third reading by its title, the title read, the Bill so passed, and was sent to the House:

The following communications were received and read:

Representatives Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council.

Gentlemen—His Excellency the Governor has vetoed

[H. F. No. 33], "Amending Section 1399 of the Compiled Laws of Utah."

Very respectfully,
ORSON PRATT, SEN,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House concurs in and adopts (C. R. No. 3). "Concerning University Lands."

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen---The House has passed [H. F. 50], "Concerning Fish," and now forward same to your honorable body for your action thereon.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House does not concur in your resolution (C. R. 2), "Concerning Settling with Compilation Committee."

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

(H. F. 50), "Fish Bill" was taken up and read, and,

On motion, passed its first reading.

(H. F. 47), "Amending section 2386 Compiled Laws," taken up, read, and,

On motion of Councilor Burton was laid on the table indefinitely.

Councilor Snow presented the following Report:

Committee Room, City Hall,
Salt Lake City, Feb. 21, 1878.

To the President
and Members of the Legislative Council:

Gentlemen—Your committee, to whom was referred the Report of the Chancellor of the University of Deseret, beg leave to submit the following for your consideration.

The Chancellor's Report, in referring to Normal Students who have attended the institution, says their tuition, "at regular rates would amount to $3,840 or very nearly the amount of the appropriation made for the Institution." In recurring to this subject he further adds, "At an early day the students in this department made a requisition on the University for text books, amounting to about seven hundred dollars, which I did not consider was contemplated by the Legislative Assembly, but only the free use of the Library, Maps, Charts, etc."

Again it refers to an unwarranted report and a falling off in this department during the first half of the year, &c.

The language of the law making the appropriation is as follows, to wit: "Five thousand dollars annually to the University of Deseret, to be drawn by, and expended under the direction of the Chancellor and Board of Regents; Provided, that forty pupils annually shall be instructed free of charge, for tuition, books or apparatus, for one year in the Normal Department of said University."

It may well be doubted whether the Chancellor, in his construction of this law, has correctly apprehended its true intent, inasmuch as the "Library, Maps and Charts" of the Institution were understood to be free to all students, and your committee are of opinion that the demand made by

the Normal students for text books was the result of a general understanding of the Members of the Legislature and the view of County Superintendents who nominated these pupils. The disappointment resulting from failure to supply text books, produced a temporary falling off in that department. The financial exhibit of the University shows the Institution has liabilities amounting to $13,893.78 and assets as follows: Auditor's warrants, $13,425.00, and tuition fees uncollected $2,083.00 –$15,508.00. The warrants are deposited in bank as collateral for money loaned, as the Chancellor says "on the credit of the Territory," and the interest paid is $2,665.35, and balance of interest due on the cash loaned $1,207.00, and we are asked to appropriate to cover the interest or the depreciation of Auditor's Warrants. Your committee are of opinion that the Territory cannot afford to establish such a precedent as it would open a door for all parties, past and present, holding claims or Auditor's Warrants to demand like indemnity, and we fail to perceive that it is under any greater obligation in this matter to the University than to District Schools or other claimants.

We therefore, deem the standing appropriation ample and should be used with the Warrants on hand to discharge the debts of the Institution, and fulfil the conditions required in the law in favor of Normal students, and if the Revenue Bill now with the Executive is approved, superceding that appropriation, we recommend to include in the General Appropriation Bill of this Assembly $2,000, to be drawn by the Chancellor for general expenses of the University, and $5,200, or so much thereof as may be necessary for Tuition, Text Books and Incidentals for Normal Students who may be selected pursuant to Section 608 of Compiled Laws of Utah, to be paid by the Auditor of Public Accounts on orders signed by such students, and countersigned by the President of the Faculty, Provided not more than $25.00 each shall be paid the students respectively and the regular rates of their tuition to the University.

ERASTUS SNOW,
Chairman.

Report accepted and recommendations adopted.

[C. F. 23], "School Bill," was taken up on its third reading by its title, the title read, the Bill so passed and sent to the House.

[H. F. 49], "Militia Bill" was then taken up, and,

On motion of Councilor Callister, passed its first reading, and referred to committee on Militia.

The following communications were received and read:

Utah Territory, Executive Office,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President of the Council.

Sir—I have the honor to inform you that I have this day received, approved and filed with the Secretary of the Territory [C. F. No. 6], entitled, "An Act to Amend Section 1806, Section 1253, and Section 1750 of the Compiled Laws of Utah."

Respectfully,
GEO. W. EMERY,
Governor.

Representatives Hall,
Salt Lake City, Feb. 22, 1878.

To the Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House concurs in your amendments to (H. F. 38), "Election Bill," except that to Section 8.

Messrs. Milner, Carrington and Rockwood are appointed a Committee of Conference, on the part of the House to act on said amendments.

Very respectfully,
ORSON PRATT, SEN,
Speaker.

President appointed Councilors Snow and Thatcher Conference Committee on part of Council.

Councilor E. Snow presented petition of Warren N. Dusenberry, for compensation for legal services, amounting to $750.

Read, and,

On motion of Councilor Smoot, was referred to the committee on Claims, with instructions to insert amount in Appropriation Bill.

Council took recess till 6 p. m.

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6 p.m.

Council resumed its session.

The following communications were received and read:

Representatives Hall,
Salt Lake City, Feb. 22, 1878.

To the Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen---The House is in receipt of a communication from his Excellency, the Governor, notifying the House of his disapproval of the "Revenue Bill" (H. F. No. 18).

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

To the Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed [H. F. 51], "Amending Section 2378 of the Compiled Laws," and forward same for your action thereon.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

To the Hon. Lorenzo Snow, President,
and Members of the Legislative Council:

Gentlemen--The House has passed the accompany

ing memorial and forward same to your honorable body for your action thereon.

Very Respectfully,
ORSON PRATT, SEN.,
Speaker.

Said memorial was read, and,

On motion, adopted.

[H.F.No.51], "Bill to Amend Section 2378 Compiled Laws," was then read, and,

On motion, passed first reading, and,

On motion of Councilor Harrington, passed its second reading, was read the third time by its title, and Bill so passed and was sent to the House.

[A. F. 50] "Fish Bill," was taken up, and,

On motion, passed its first reading, and was taken up on second reading; was taken up on its third reading, by its title, the title read, the Bill so passed and was sent to the House.

[C. F. 5] "To confer on women the right to hold certain offices," was taken up on its third reading, and,

On motion of Councilor Callister, passed its third reading by its title, and was sent to the House.

H. F. 10, "Amending certain sections, Compiled Laws," taken up, amendments reconsidered, and,

On motion of Councilor Smoot, the Council receded from their amendment.

Councilor Snow reported the Conference Committee recommended that certain amendments be inserted in Sections 8 and 9, [H. F. 38], "Election Bill."

On motion of Councilor Raleigh, the recommendation of the committee was adopted.

The following communications were received and read:

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The house request, in consequence of exceeding press of business on the table, that the Coun-

cil will postpone the Joint Session until 10 o'clock this evening.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

To the Hon. Lorenzo Snow. President,
and Members of the Council:

Gentlemen—The House has passed (C. F. No. 18) "Jury and Witness Fund," with amendments, and return the same for your action on amendments.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

On motion of Councilor Thatcher, Council concurred in postponement of Joint Session.

(C. F. 18) "Jury and Witness Fund," was taken up and amendments read.

On motion of Councilor Snow, were concurred in.

The following communications were received and read:

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed (C. F. 31) "Supplementary to an Act for Incorpotations," etc., without amendment, and the same is forwarded for enrollment.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Utah Territory, Executive Office,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President of the Council:

Sir—I have the honor to inform you that I have this day approved and filed with the Secretary of the Terri-

tory, (C. F. 26) entitled "An Act amending the charter and reducing the boundaries of Washington City."

Very respectfully,
GEO. W. EMERY,
Governor U. T.

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council;

Gentlemen—Messrs. Milner, Pace and Lyman have been appointed, on the part of the House, in accordance with the accompanying motion passed by the House.

I move that a Special Committee of two be appointed by the Speaker to meet a like committee from the Council to consider the feasibility, of amending the Revenue Bill.

B. YOUNG.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

On motion of Councilor Harrington, the President appointed Councilors Burton and Snow said committee on part of the Council.

C. F. 21 "To amend Section 180, Civil Practice Act," called up, and,

On motion of Councilor Snow, was laid over as unfinished business.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 22, 2878.

Hon. Lorenzo Snow, President,
and Members of the Council;

Gentlemen—His Excellency, the Governor, has approved the following:

H. F. 36, "Incorporating Silver Reef City. H. F.

37, "Incorporating Richfield City." H. F. 42, "Equalizing taxes on transitory herds.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Councilor Cluff presented the following Report:

Hon. Lorenzo Snow, President,
and Gentlemen of the Council:

Your committee on Militia, to whom was referred H. F. 49, "On Militia," report having considered the same, and report said Bill back without amendment, and recommend its passage.

Respectfully,
R. T. BURTON,
A. K. THURBER,
M. THATCHER.
W. W. CLUFF.

On motion of Councilor Thurber, Report was accepted, and Bill taken up on its second reading.

On motion of Councilor Smoot, passed its second reading, and was taken up on its third reading by its title, the title read, and the Bill so passed and was sent to the House.

The following communications were received and read:

Utah Territory, Executive Office,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President of the Council:

Sir—I have the honor to inform you that I have this day approved and filed with the Secretary of the Territory C. F. 13, entitled "An Act to provide for Special Elections to fill vacancies, and C. F. No. 27 entitled "An Act amending certain sections herein named, for the preservation of game."

GEO. W. EMERY.
Governor U. T.

Representatives' Hall,
Salt Lake City, Feb, 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has amended C. F. 5' "Conferring on women the right to hold certain offices in this Territory, and return the same for your action on said amendments.

Very respectfully,
ORSON PRATT, SEN,,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

Hon· Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed H. F. 13, "Concerning the Compiled Laws of Utah, and now forward the same for the action of your honorable body thereon.

The House is in receipt of communication that his Excellency has approved C. F. 11, "Criminal Procedure Act."

Very Respectfully,
ORSON PRATT, SEN.,
Speaker.

H. F. 13, "An Act amending the Compiled Laws of Utah," was taken up, read, passed first reading, passed second reading, and,

On motion of Councilor W. R. Smith, was read the third time by its title, so passed, and was returned to the House for enrolling.

Councilor S. S. Smith presented the following Report.

Committee Room, Feb. 22, 1878.

Mr. President, and Members of the Council:

Gentlemen—Your committee on Counties, to whom was referred the Petition of James Lewis and others, asking that the County Seat of Kane County be removed

from Toquerville to Kanab, respectfully ask leave to report unfavorable to granting the prayer of said petition.

Respectfully,
S. S. SMITH, chairman.

On motion of Councilor Cluff, report was accepted. Also the following, which was accepted:

Committee Room, Feb. 22, 1878.

Mr. President, and Members of the Council:

Gentlemen—Your committee on Counties, to whom was referred the Petition of W. A. Bringhurst and others, asking that the Western portion of Kane County be attached to Washington County, respectfully report that we deem further legislation relating to county boundaries inexpedient at the present session.

Very respectfully,
SILAS S. SMITH, chairman.

On motion of Councilor Cluff, $200.00 was ordered placed on the Territorial Appropriation Bill for Helaman Pratt, services as Chaplain, and the sum of $40.00 for Zebedee Coltrin, as Chaplain during a portion of session of Council.

C. F. 5 was taken up for consideration of the amendments, and,

On motion, amendments were concurred in and the the House notified.

Councilor Thatcher presented the following Report:

Committee Room, Feb. 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Legislative Council:

Gentlemen—Your committee on Engrossing having examined the accompanying bill for extra clerk service, amounting to $62.00 respectfully recommend that the amount be allowed and appropriated to each, as named in said bill.

Very respectfully,
M. THATCHER, chairman.

For extra clerk service for Engrossing.

Charles Burton	$15 00
R. V. Morris	25.00
M. C. Morris	12.00
Joseph Simmons	10.00
	$62.00

Committee on Judiciary reported back [C. F. 19], "Solemnization of Marriage," and recommended the Bill be laid over as unfinished business.

Report accepted and Bill laid over accordingly.

The following motion was presented, and, carried:

I move that the thanks of this Legislative Council are justly due to the Hon. Lorenzo Snow, President of the Council; to L. John Nuttall, Esq., Chief Clerk, and all the other officers, for the promptitude and efficiency they have manifested in the discharge of the duties of their several offices.

L. E. HARRINGON.

Councilor S. S. Smith presented the following report:

Hon. President, and Members of the Council;

Gentlemen—Your Committee on Counties, to whom was referred (C. F. 24), "A Bill for An Act changing the county seat of Piute county from Marysvale to Junction in said county, respectfully recommend that said Bill be not concurred in.

Very respectfully,
SILAS S. SMITH,
Chairman,

Council went into Joint Session.

SEE JOINT SESSION MINUTES.

Council resumed its session.

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House request Conference Committee on [H. F. 24] "Changing county seat of Piute county," and have appointed Messrs. Murdock and Spencer committee on part of the House.

Very respectfully,
W. B. PACE,
Speaker, pro tem.

On motion of Councilor Thurber, a Committee of Conference was appointed on part of Council.

President appointed Councilor Thurber and Cluff said committee.

The following was received from the Governor, and read:

Utah Territory, Executive Office,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President of the Council:

Sir—I have the honor to inform you that I have this day approved and filed with the Secretary of the Territory, [C. F. No. 10], entitled "An Act amending the Charters of Incorporated Cities,"

Very respectfully,
GEO. W. EMERY,
Governor, U. T.

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House Committee on Education have reported back to the table, as unfinished business, (C. F. 23), "Education Bill," and said report has been adopted by the House.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

Councilor Thurber presented the following report:

Committee Room, City Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—Your committee appointed to confer with a like committee from the House to consider the Petition for changing the County Seat of Piute County, from Marysvale to Junction, in said County, have agreed to recommend the granting of said Petition, and the House Committee will introduce a Bill to effect said change.

Very respectfully,
A. K. THURBER,
Chairman.

On motion of Councilor Smoot, Report was accepted and recommendation adopted.

Councilor E Snow presented the following Report:

Committee Room,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Legislative Council:

Gentlemen—Your committee on Claims and Appropriations, respectfully report that the Petition of Maria Smith, accompanied with a Bill for an Act for her relief, is superceded by an appropriation for her Territorial taxes and the Petition and Bill are herewith returned with recommendation that they lay on the table indefinitely.

Very respectfully,
ERASTUS SNOW,
Chairman.

On motion of Councilor Raleigh, report was accepted and recommendation adopted.

The following communications were received and read:

Utah Territory, Executive Office,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President of the Council:

Sir—I have the honor to inform you that I have this day approved and filed with the Secretary of the Territory (C. F. 31), entitled "An Act supplemental to an Act providing for Incorporating Associations for Mining, Manufacturing, Commercial and other Industrial Pursuits, approved Feb. 18, 1870."

Very respectfully,
GEO. W. EMERY,
Governor, U. T.

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council.

Gentlemen—The House is in receipt of communications from His Excellency the Governor, notifying us of the approval of the following: (H. F. 45), "Amending Springville City Charter;" (H. F. 13), "Approving the Compiled Laws of Utah;" (H. F. 38), "Election Law."

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

[H.F. 24], "To change County Seat of Piute County," reported by Committee of Conference, was taken up, and,

On motion of Councilor Thurber, passed its second reading, and was taken up on its third reading, by its title, the title read, and the Bill so passed, and was sent to the House.

Councilor Snow, chairman of Committee on Claims, presented Report of items ordered to be placed on Appropriation Bill, which were read and added to the Bill.

On motion of Councilor Burton, House was informed that Council table was clear of business and asking if they have any further business to communicate.

Councilor Thurber presented the following motion:

I move, the House concurring, that the Auditor of Public Accounts be authorized and required to forward (when printed) to each member and officer of the Assembly, one copy of the Laws and Journals of the present session, and ten copies each of the Report of Territorial Superintendent of District Schools and of that of the Chancellor of Deseret University.

A. K. THURBER.

Adopted.

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

To the Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—Until the passage of the General Appropriation Bill, our table is not clear of business.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

On motion of Councilor Smoot, suggestions of the Governor, informally made and adopted by the House, on (H. F. 18), "Revenue Bill," were read and adopted. Councilor Snow and Thatcher voting against that which provides for exempting "mining claims, the product of mines and the ore in the mines."

The following communication was received and read:

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed (H.F. 52), "Appropriation Bill," and same is now forwarded for your action thereon.

Very respectfully,
ORSON PRATT, Sen.,
Speaker.

[H. F. 52], "Territorial Appropriation Bill," was read, and,

On motion, passed its first reading, and was taken up on its second reading and amended.

On motion of Councilor Callister, Bill passed its second reading by sections, and was taken up on its third reading by title, the title read, and the Bill so passed and was returned to the House.

The following communications were received and read:

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

To the Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House is in receipt of notification from His Excellency, the Governor, that he has this day approved [H. F. 24], "Changing County Seat of Piute County," and [H. F. 18]. "Revenue Bill."

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

Mr. President, and Members of the Council:

Gentlemen—The House is in receipt of a communication from the Governor, that His Excellency has approved H. F. 55, in relation to "Irrigation Districts."

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House concurs in the motion of Councilor A. K. Thurber, relating to "Distributing Laws, Jour-

nals, etc., of the present Session." Also have passed the accompanying resolution.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Said Concurrent Resolution was then read, and on motion, adopted.

The following communication was received and read:

Feb. 22, 1878.

Hon, Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House has passed on your amendments to H. F. 52, some of which are not concurred in, and the Bill is now returned for your further action.

Respectfully,
ORSON PRATT, SEN.,
Speaker.

Said amendments were reconsidered and a Committee of Conference asked to consider items Nos. 41 and 43.

President appointed Councilors Smoot and Burton said committee.

The following communication was received and read:

Feb. 22, 1878.

Mr. President, and Members of the Council.

The House has appointed Messrs. Pace and Carrington Conference Committee on the part of the House on items 41 and 43, Appropriation Bill.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Councilor Smoot reported certain amendments recommended by Conference Committee on Territorial Appropriation Bill, which,

On motion, were adopted.

The following was received and read:

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

To the Hon. Lorenzo Snow. President,
and Members of the Council:

The House is in receipt of communication from his Excellency, the Governor, that the Appropriation Bill (H. F. 52), has met with Executive approval.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

Council notified the House that their table was clear of business.

The following was received and read:

Representatives' Hall,
Salt Lake City, Feb. 21, 1878.

Hon. Lorenzo Snow, President,
and Members of the Council:

Gentlemen—The House table is clear of business.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

On motion of Councilor Thurber, a committee consisting of Councilors Thurber and Burton, were appointed on part of Council to wait on his Excellency, the Governor, and inquire if he have any further communication to make to the Assembly.

The following communication was received and read:

Representatives Hall,
Salt Lake City, Feb. 22, 1878.

To the President
and Members of the Council:

Messrs. Sharp and Pace have been appointed a committee on the part of the House to wait upon his Excellency, the Governor, and inform him that the tables are clear of business and inquire if his Excellency has any further business to communicate.

Very respectfully,
ORSON PRATT, SEN.,
Speaker.

The committee, on their return, notified the Council that they had visited his Excellency, and notified him that the tables were clear of business, and that he stated he had no further communication to make to the Assembly, except that he wished the committee would bear his regards to both branches of the Assembly.

On motion of Councilor Smoot, Council dissolved.

HOUSE.

Representatives' Hall,
Salt Lake City, Feb. 22, 1878.

10 a.m.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by Chaplain.

Mr. Preston presented the petition of citizens of Rich County, to change the county seat of that county from Randolph to Lake Town. Referred to committee on Unfinished Business.

Mr. Rockwood presented the following, which was read:

Committee Room,
Salt Lake City, Feb. 22, 1878.

Mr. Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Claims and Appropriations, to whom was referred petition of Elias Morris and James H. Martineau, asking for an appropriation in the sum of $120 to pay them for service as witnesses on part of the defense in the case of W. H. Dame, in Second District Court, 1876, have given the subject attention and report adversely upon said petition.

Also petition of H. H. Cluff, assessor and collector of Utah county for 1875-6, asking for an appropriation in the sum of $79.60, have given the matter our careful attention and recommend that the said amount of $79.60 be placed upon the Appropriation Bill for his relief.

Also claim of "Deseret News," for printing Election Law and advertisements, in the sum of $72.50, has had attention of your committee and we recommend that $72.50 be placed upon the Appropriation Bill to pay said claim.

Also petition of Warren N. Dusenberry, asking for an appropriation in the sum of $750, for services as Assistant United States District Attorney. Your committee have given this petition their careful consideration, and report adversely upon it. This gentleman was appointed and employed by United States District Attorney Sumner Howard, and, as your committee recommended in the case of Presley Denny, Assistant United States District Attorney of Second Judicial District, he should look to Mr. Howard, and not to this Territory, for his pay.

A. P. ROCKWOOD,
Chairman.

The report was adopted and the amounts favorably reported on were ordered to be inserted in Appropriation Bill.

Mr. Milner, of committee on Education, presented petition of S. B. Young and others, "For the establishment of charitable, reformatory and other institutions," without action. Referred to committee on Unfinished Business.

Mr. Lyman presented account of sergeant-at-arms for various supplies furnished the House.

On motion of Mr. Lyman, the account was sent to committee on Claims, with instructions to audit and incorporate, if found correct, in Appropriation Bill.

Mr. Young, of committee on Militia, presented (H. F. 49), "Bill to amend certain sections of Compiled Laws of Utah in relation to Militia," which was read first time, and,

On motion of Mr. Milner, read second time by its title, and,

On motion of Mr. Grover, read third time by its title, and,

On motion of Mr. Pace, passed.

Mr. Milner, of committee on Education, reported petition of 630 citizens of Beaver County, for an appropriation of $2,000 to aid in establishing and conducting a normal school in that county, with the recommendation that the committee on Claims be instructed to insert in the Appropriation Bill that amount for that purpose.

On motion of Mr. Peterson, the committee were

given leave to withdraw the report for amendment.

The following was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council have adopted the Report of Conference Committee and have receded from their amendment to [H. F. No. 35], "Irrigation Bill." They have also adopted (C. M. 2), "Memorial to Congress in relation to School Lands;" also (C. R. 3), "Concerning University Lands." The above are respectfully enclosed herewith. The Council also concur in your proposition to meet in Joint Session at 3 p. m. to-day.

Very respectfully,
LORENZO SNOW,
President.

(C. M. 2), "Memorial to Congress relative to School Lands," was read, and,

On motion of Mr. Milner, adopted.

Mr. Attwood presented the following, which was read:

Committee Room, City Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—Your Specal Committee, to whom au thority and instructions were given to examine and destroy redeemed Auditor's Warrants, beg respectfully to report that they, acting with a like committee of the Council, have carefully examined all warrants redeemed by the Territoria Treasurer during the years 1876 and 77, the same aggregating Ninety-four Thousand, Three Hundred and Twenty-five Dollars and Thirty-three Cents. ($94,325.33)

We found each warrant duly cancelled, as provided by law, and having compared them with the stubs thereof now on file in the Office of the Auditor of Public Accounts

and ascertained that they agreed therewith as to numbers, and amounts, and the stubs having been checked, your committee, acting under your instructions, destroyed by cremation all of said warrants.

Your committee also, being subsequently further instructed, carefully listed, checked and found the amount of Auditor's Warrants redeemed by the Treasurer during the years 1870 and 71, to be $59,194.65, which corresponds with the Territorial Treasurer's reports for those years. These warrants, as we learn, were examined, cancelled and checked with the stubs by committees duly authorized by former Legislatures, but who were instructed to have them filed after cancellation in the office of the Treasurer, who having requested this House to have them desroyed, they have been destroyed in the same manner as those first named in this Report.

Your committee, having performed your requirements in this matter, beg respectfully that you will adopt their report and discharge them accordingly.

SAMUEL F. ATTWOOD,
FRANCIS WEBSTER.
Committee.

The report was adopted.

Mr. Brown of Committee on Agriculture, presented Substitute Bill for H. F. 46.

[H. F. No. 50], "Bill to prescribing time and mode of taking fish out of public waters," Substitute Bill, was read, and,

On motion of Mr. Sharp, was received, and,

On motion of Mr. Murdock, read second time by sections, pending which,

On motion of Mr. Hatch, House took recess till 2 o'clock p. m.

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2 p. m.

House resumed its session.

Roll called. Quorum present.

House resumed consideration of [H. F. 50], "Prescribing time and mode of taking fish out of public wa-

ters," on its second reading, which was amended, and,

On motion of Mr. Attwood, read third time by its title, and,

On motion of Mr. Grover, passed.

The following was received from the Governor and read:

Utah Territory, Executive Office,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen.,
Speaker of the House of Representatives:

Sir—I am constrained to return, without my approval, (H. F. 33), entitled "An Act amending Section thirteen hundred and ninety-nine [1399] of the Compiled Laws of Utah."

The object contemplated by the proposed legislation meets with my entire approbation.

While the evils and inconveniences of the present jury system are manifold, Article Eight of the Amendment to the Constitution of the United States provides that, "in suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved." Section seventeen of the Organic Act of the Territory enacts, "that the Constitution and Laws of the United States are hereby extended over and declared to be in force in said Territory of Utah, so far as the same or any provision thereof may be applicable." Trial by jury necessarily includes a verdict, as understood at common law, to render which the unanimous assent of twelve men duly impanelled and sworn as a jury, is absolutely necessary.

I respectfully suggest that a memorial to Congress would probably result in procuring the desired change,

Very respectfully,
GEO. W. EMERY,
Governor U. T.

The following was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has passed a motion asking your honorable body to postpone Joint Session from 3 p. m. to-day to 7 p. m. to-day. His Excellency, the Governor has announced to the Council his disapproval of [C. F. 8], "Providing for the health and safety of persons em ployed in Coal Mines."

Very respectfully,
LORENZO SNOW,
President.

On motion of Mr. Pace, the request of the Council was concurred in.

(C. R. 3), concerning "Disposal of UniversityLands" was read, and,

On motion of Mr. Milner, adopted.

Mr. Murdock presented the following, which was read:

I move that the sum of two hundred dollars ($200) be inserted in the General Appropriation Bill, to be drawn by Henry Boyle, for services rendered as Chaplain of the House.

J. R. MURDOCK.

On motion of Mr. Pace, motion adopted.

Mr. Rockwood presented the following, which was read:

Committee Room,
Salt Lake City, Feb. 22, 1878.

Mr. Speaker,
and Members of the House of Representatives:

Gentlemen—Your Committee on Claims and Appropriations, to whom was re'erred claim of C. S. Hill. Clerk of Third Judicial District Court, for services in said Court for 1876, amounting to $162.45, has received our attention, and we recommend that the sum of $132.45 be placed upon the Appropriation Bill for his relief.

Also Concurrent Resolution, authorizing the Auditor of Public Accounts to settle with the Committee on Compilation, which we beg leave to report back and recommend its adoption.

Your committee has also considered the motion of Mr. Preston, instructing your committee to place the sum of $45.38 upon the Appropriation Bill for relief of Cache County, and recommend that the motion be complied with.

Your committee has also considered the account of the Sergeant-at-Arms, and recommend that the amount of $428.20, the amount asked for by him, be placed upon the Appropriation Bill to pay the claims, as per vouchers accompanying said account, to be drawn and paid by the Auditor of Public Accounts.

A. P. ROCKWOOD,
Chairman.

Council Concurrent Resolution 2, "Authorizing Auditing Accounts and settling with the Committee on Compilation," was read, and,

On motion of Mr. Carrington, the House did not concur.

The following was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 22, 1878.

Hn. Orson Pratt, Sen., Speaker,
and Members of the House:

Gentlemen—The Council has passed [H. F. 38], "Election Bill," with some amendments noted in accompanying statement.

LORENZO SNOW,
President.

Council amendments to [H. F. 38], "Election Bill," were read, and,

On motion of Mr. Milner, that a committee of Conference be appointed, Messrs. Milner. Carrington and Rockwood were designated said committee on part of the House.

The following was received from the Governor at five minutes to 4 p.m., and read:

Utah Territory, Executive Office,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen.,
Speaker of the House of Representatives:

Sir—I have the honor to inform you that I am unable to approve (H. F. 21), entitled "An Act to Provide Revenue for the Territory of Utah and the several Counties thereof," for the following reasons:

First. The mining industry of the Territory is of the greatest importance to its present and future prosperity. It would be quite impossible to assess the mines in such a manner as to secure uniformity, which is the cardinal principle in all taxation. The business is speculative and subject to great chances; mines, appearing valuable to-day, prove valueless to morrow. Where products of value are realized, the proceeds go to enrich the fortunate miner, who is taxable upon his wealth. Thus the Territorial revenues will be enhanced in exact proportion as the industry is fostered, while, at the same time, the burdens fall where they justly belong. As yet, the mines in this Territory are in their infancy, and a comparatively slight revenue could be derived from them under any system of taxation.

Second. Property should be listed, assessed and taxed, as it exists, is owned and valued upon some given day. The work of assessing must necessarily consume considerable time. During that time the title to much of the taxable property will be shifting. If no date be fixed, much property will inevitably be listed, assessed and taxed more than once, which should be avoided.

Third. Justice seems to require that debts should be deducted from credits, else the tax-payer is assessed upon more than he should be required to pay taxes upon. The Bill as submitted provides for double taxation, though probably unintentionally, which is an objection of the gravest character.

Fourth. Taxing real estate and at the same time money loaned and secured by mortgage on the same real estate, amounts to double taxation to the value of the loan. If the mortgage is taxed, it will operate as a double taxation of the owner of the real estate, for the reason that the money loaner will exact agreements and covenants from the borrower to pay the tax, or will refuse to make the loan Such a provision would therefore operate oppressively upon the debtor, or borrowing class.

Fifth. It is thought improper to apply the provisions for the collection of taxes to such as are now delinquent, in other words, to give the Act a retro-active operation. Much property must have changed hands with a view to the law as it has stood for years, and much confusion, if not injustice, would result if the law as to collection of such delinquent taxes should now be changed..

For the above, among other reasons, I cannot approve this Bill.

Respectfully,
GEO. W. EMERY,
Governor. U. T.

The following was received from the Governor and read:

Utah Territory, Executive Office,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen.,
Speaker of the House of Representatives:

Sir—I have the honor to inform you that I have this day approved and filed with the Secretary of the Territory (H. F. No. 31), entitled "An Act Supplemental to the Penal Code."

Very Respectfully,
GEO. W. EMERY,
Governor, U. T.

The following from the Council was received and read:

Council Chamber,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council have considered (H. F. 47) "Relating to Justices' Fees," and have laid the same on the table indefinitely.

The Council has passed (C. F. 23), "School Bill," and the same is now forwarded for your action.

Very respectfully,
LORENZO SNOW,
President.

(C. F. 23), "School Bill," was read first time, and,

On motion of Mr. Pace, was referred to committee on Education.

Mr. Pace presented the following, which was read:

Committee Room
City Hall, Feb. 22, 1878.

Mr. Speaker, and Members of the House:

Gentlemen—Your committee on Penitentiary, to whom was referred that portion of the Governor's message pertainining to the Penitentiary, have had the same under careful consideration, and find that the United States statutes referred to by his Excellency do not require persons convicted under the laws of Utah to be confined in the United States Penitentiary, but merely provides that such convicts may be admitted and subsisted therein upon such terms as may be agreed upon by and with the United States Attorney General.

Your committee further find that under the statutes of Utah the Territorial Warden is the only person competent to contract for the safe-keeping of persons convicted under the laws of Utah, and that no such contract has been made on the part of the Territory.

Your committee fail to find any conflict between the laws of Congress and the statutes of Utah, so far as pertains to the care of persons convicted to the penitentiary

under the laws of Utah, and therefore deem further legislation on the subject unnecessary.

W. B. Pace.

On motion of Mr. Smith, the report was adopted.

Mr. Pace presented the following, which was read:

Committee Room,
City Hall, Feb. 22, 1878.

Mr. Speaker, and Members of the House:

Your committee on Library, to whom was referred the Librarian's report, respectfully recommend that the Utah Library be removed from the City Hall to the room to be occupied by the Auditor of Public Accounts, and that the committee on Claims and Appropriations be instructed to incorporate in the Appropriation Bill the sum of one hundred dollars to defray the expense of moving and setting up said library, and the additional sum of five hundred dollars for Librarian's salary for the years 1878 and 1879.

W. B. Pace,
Chairman.

On motion of Mr. Spencer, the report was adopted.

Mr. Birch presented the following, which was read:

I move that the Revenue Bill, with veto and suggestions found in connection therewith, be referred to committee on Revenue, and they be required to make report and suggestions as to further action thereon.

J. Birch.

Motion adopted.

Mr, Preston presented (H. F. 51), "Bill to Amend Section 2378 Compiled Laws of Utah," which was read first time, and,

On motion of Mr. Hatch, taken up on its second reading, and,

On motion of Mr. Preston, was read third time by its title, and,

On motion of Mr. Hatch, the bill passed.

Mr. Lyman presented (H. M. 2) Memorial to Congress for an extension of the session of the Territorial Legislature to sixty days, which was read, and,

On motion of Mr. Brown, adopted.

The following was received from the Council and read:

Council Chambe,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council have appointed Councilors E. Snow and M. Thatcher Committee of Conference on part of the Council to consider section 8 of "Election Bill."

His Excellency, the Governor, has announced his approval of (C. F. 6), "Amending Sections 1806, 1253 and 1750 Compiled Laws."

Respectfully,
LORENZO SNOW,
President.

Mr. Murdock presented the following, which was read:

Mr. Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Printing beg leave to submit the accompanying bill of Wm. C. Dunbar, Public Printer, and move that the sum of thirteen hundred and thirty-one dollars ($1331) be inserted in the General Appropriation Bill, to be drawn by Wm. C. Dunbar, or so much thereof as may be necessary, to pay the accompanying bill.

J. R. MURDOCK,
Chairman.

On motion of Mr. Hatch, the report was adopted, and the committee on Claims and Appropriations requested to insert the amount in the Appropriation Bill.

On motion of Mr. Lyman the House took recess till 6.30 p.m.

6.30 p.m.

House resumed its session.

Roll called. Quorum present.

The following was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has adopted [H. M. 3], "To increase the number of days of Legislative Session," and has also passed [H. F. 51], "Amending Section 2378 Compiled Laws," without amendment; also [H. F. 50], "On Fish," without amendment; also [C. F. 5], "Bill to Confer on Women the right to hold certain Offices."

Very respectfully,
LORENZO SNOW,
President.

[C. F. 5], "Bill to Confer on Women the right to hold Offices," etc., read first time, and,

On motion of Mr. Hatch, referred to committee on Judiciary.

Mr. Milner, of the Investigating committee, presented accounts against the committee, and moved that they be referred to committee on Claims, to be inserted in Appropriation Bill, if found correct.

On motion of Mr. Milner, the Council was requested to postpone the Joint Session till 10 o'clock.

Mr. Farr, of committee on Judiciary, reported [C. F. 18], "Bill providing for Fees for Juries," amended, with recommendation that it pass.

Committee amendments to C. F. 18 were read and adopted, and,

On motion of Mr. Brown, the Bill was read second time by its title, and,

On motion of Mr. Smith, read third time by its title, and,

On motion of Mr. Smith, passed.

Mr. Wright presented the following, which was read:

Committee Room,
Salt Lake City, Utah, Feb. 22, 1878

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—Your committee on Private Incorporations, to whom was referred (C. F. 31), "A Bill for an Act Supplemental to an Act for Incorporating Mining, Manufacturing and other Industrial Pursuits," have had the same under consideration and recommend its passage.

Respectfully,
J. C. WRIGHT
Chairman.

On motion of Mr. Smith (C. F. 31), "Bill for Incorporating Industrial Pursuits," was taken up on its second reading by sections, and,

On motion of Mr. Pace, read third time by its title and,

On motion of Mr. Brown, passed.

The following was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council recede from their amendments to (H. F. 10), "To Repeal Sections 388 and 389 Compiled Laws," and the same is respectfully returned. Council also accede to your request to meet in Joint Session at 10 p.m. instead of 7 p.m.

Very respectfully,
LORENZO SNOW,
President.

Mr. Attwood presented the following, which was read:

I move that the per diem allowed the Chaplain of the House be increased to $240.

S. F. ATTWOOD.

Motion adopted.d

Mr. Young presented the following, which was read:

Mr. Speaker, and Members of the House:

Gentlemen—I move that a Special Committee of two be appointed by the Speaker, to meet a like committee from the Council to consider the feasibility of amending the Revenue Bill.

B. YOUNG.

Motion adopted, and Messrs. Milner, Pace an Lyman were appointed said committee on the part of the House.

The following was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council concur in your amendments to (C. F. 18) "Jury and Witness Fund;" also have adopted recommendation of Conference Committee on "Election Bill" [H. F. 38], and the latter is returned for enrollment.

Very respectfully,
LORENZO SNOW,
President.

Mr. Milner, of Conference Committee on [H. F. 38], "Election Bill," reported the same amended.

The committee amendments were read, and,

On motion of Mr. Lyman, concurred in.

The following was received from the Governor and read:

Utah Territory, Executive Office,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen.,
Speaker of the House of Representatives:

Sir—I have the honor to inform you that I have this day approved, and filed with the Secretary of the Territory,

[H. F. 42], entitled "An Act Providing for the Equalization of Taxes on transitory herds of Stock in this Territory."

Very respectfully,
GEO. W. EMERY,
Governor U. T.

The following was received from the Governor and read:

Utah Territory, Executive Office,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen.,
Speaker of the House of Representatives:

Sir—I have the honor to inform you that I have this day approved, and filed with the Secretary of the Territory, [H. F. No. 36], entitled "An Act to Incorporate Silver Reef City," and [H. F. No. 37], entitled "An Act to Incorporate the City of Richfield in Sevier County."

Very respectfully,
GEO. W. EMERY,
Governor U. T.

Mr. Pace presented the following, which was read:

Committee Room,
City Hall, Feb. 22, 1878.

Mr. Speaker, and Members of the House:

Gentlemen—Your Committee on Penitentiary, to whom was referred the Reports of the Directors and Warden of the Penitentiary, return the same to the table, and recommend that said Report be spread on the minutes.

Respectfully,
W. B. PACE,
Chairman.

On motion of Mr. Farr, the Report was adopted.

The following was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council have received a communication from His Excellency, the Governor, announcing his approval of [C. F. 26], "An Act amending the Charter and reducing the Boundaries of Washington City." They have also appointed Councilors Burton and Snow a committee on part of Council, to consider the feasibility of amending the "Revenue Bill," as proposed in motion of Mr. B. Young.

Very respectfully,
LORENZO SNOW,
President.

Mr. Farr, of Committee on Judiciary, reported (C. F. 5), "Bill to confer on Women the right to hold certain offices," with amendments, which were read, and,

On motion of Mr. Smith, the Report was adopted.

The Bill was further amended, and,

On motion of Mr. Farr, was read the second time by sections, and,

On motion of Mr. Spencer, was read the third time by its title, and,

On motion of Mr. Smith, the Bill passed.

The following was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council have passed (H. F. 49), "On Militia," without amendment, and same is returned for enrollment.

Very respectfully,
LORENZO SNOW,
President.

Mr. Farr, of committee on Judiciary, reported (H. F. 13), "Bill to approve Compiled Laws of Utah," which was taken up on its second reading, and,

On motion of Mr Smith, was read third time, and,

On motion of Mr. Grover, passed.

The following was received from the Governor and read:

Utah Territory, Executive Office,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen.,
Speaker of the House of Representatives:

Sir—I have the honor to inform you that I have this day approved, and filed with the Secretary of the Territory, [H. F. No.], entitled "An Act regulating the mode of Procedure in Criminal Cases."

Very respectfully,
GEO. W. EMERY,
Governor U. T.

Mr. Milner, of committee on Education, recommended that the Committee on Claims be instructed to insert in the Appropriation Bill the following sums: $3,000 for salary for two years of Territorial Superintendent o District Schools, and $500 for Printing and contingencies for the same time.

The Recommendation was adopted.

The following was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council have passed (H. F. 13), "To approve Compiled Laws of Utah," without amendment, and the same is herewith returned for enrolling.

Very respectfully,
LORENZO SNOW,
President.

At 10 p.m. the House went into Joint Session.

SEE JOINT SESSION MINUTES.

The Joint Session being dissolved at 10:35 p.m.
The House resumed its Session.
Roll called. Quorum present.

The following was received from the Governor and read:

Utah Territory, Executive Office,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen.,
Speaker of the House of Representatives:

Sir—I have the honor to inform you that I have this day approved, and filed with the Secretary of the Territory, (H. F. No. 50), entitled "An Act amending Sections 2196 and 2197 of the Compiled Laws of Utah, and prescribing the time and mode of taking fish out of the Public Waters."

Very respectfully,
GEO. W. EMERY,
Governor, U. T.

The following was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—I have the honor to inform you that [H. F. 24], "Changing County Seat of Piute County," has been reported on, by the committee on Counties, adversely, and that the Report has been accepted by the Council.

Very respectfully,
LORENZO SNOW,
President.

On motion of Mr. Murdock, that a Conference Committee be appointed to consider [H. F. 24], Messrs. Murdock and Spencer were appointed said committee on the part of the House.

Mr. Milner, of committee on Education, reported (C. F. 23), "School Bill," as unfinished business, owing to the lateness of the session.

On motion of Mr. Attwood, the report was accepted.

The following was received from the Governor and read:

Utah Territory, Executive Office,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen.,
Speaker House of Representatives:

Sir—I have the honor to inform you that I have this day approved, and filed with the Secretary of the Territory, [H. F. No. 45], entitled "An Act Reducing the Boundaries and Supplemental to the Charter of Springville City."

Very respectfully,
GEO. W. EMERY,
Governor U. T.

The following was received from the Governor and read:

Utah Territory, Executive Office,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen.,
Speaker House of Representatives:

Sir—I have the honor to inform you that I have this day approved, and filed with the Secretary of the Territory, [H. F. No. 13], entitled "An Act to approve the Compiled Laws of Utah," and H. F. No. 38 "An Act providing for the Registration of Voters, and to further regulate the manner of conducting Elections in this Territory."

Very respectfully,
GEO. W. EMERY,
Governor, U. T.

The following was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council have passed [H. F. 24], "To Change County Seat of Piute County," and the Bill is herewith returned for enrollment.

Very respectfully,
LORENZO SNOW,
President.

The following was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has cleared its table of business, and desires to know if you have any further communication to make.

Very respectfully,
LORENZO SNOW,
President.

The following was received from the Governor and read:

Utah Territory, Executive Office,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen.,
Speaker House of Representatives:

Sir—I have the honor to inform you that I have this day approved, and filed with the Secretary of the Territory, [H. F. No. 24], entitled "An Act changing the County Seat of Piute County," and [H. F. No. 18], entitled "An

Act to Provide Revenue for the Territory of Utah and the several Counties thereof."

Very respectfully,

GEO. W. EMERY,

Governor U. T.

[H. F. 52], "Appropriation Bill," was reported by the committee on Claims and Appropriations, read first time, and,

On motion of Mr. Pace, read second time by items, and,

On motion of Mr. Carrington, read third time, and,

On motion of Mr. Milner, passed and sent to the Council for their action thereon.

Mr. Farr, of committee on Judiciary, reported adversely to [H. F. 14], relating to "Proceedings in Civil Cases;" (H. F. 5), "Repealing Section 1022 of Compiled Laws of Utah;" and Petition of Geo. W. Jacques, *et al.*, relating to draining Jordan River; and upon [H. F. 43], "Regulating the Practice of Medicine and Surgery," as unfinished business.

Mr. Pace presented the following, which was read:

Resolved, The Council concurring, that the Public Printer be instructed to arrange and print one thousand copies of the Laws passed at the present Session amending sections of the Compiled Laws.

That said printing be made on slips, of similar type and size of page as those of the compilation, suitable to be inserted in lieu of the amended sections, and the same placed in the hands of the Auditor of Public Accounts for distribution.

W. B. PACE.

On motion of Mr. Gardner, the motion was adopted.

The following was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council have passed the enclosed motion and the same is now forwarded for your action

They have also passed (H. F. 52), "Territorial Appropriation Bill," with amendments, and return same for your concurrence in amendments.

Very respectfully,
LORENZO SNOW,
President.

Mr. President:

I move, the House concurring, that the Auditor of Public Accounts be authorized and required to forward, when printed, to each Member and Officer of this Assembly, one copy of the Laws and Journals of the present session, and ten copies each of the Report of the Territorial Superintendent of District Schools, and that of the Chancellor of Deseret University.

A. K. THURBER.

On motion of Mr. Brown, the House concurred.

Council amendments to (H. F. 52), "Appropriation Bill," were read and not concurred in.

The following was received from the Governor and read:

Executive Office,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen.,
Speaker, House of Representatives:

Sir—I have the honor to inform you that I have this day approved and filed with the Secretary of the Territory H. F. No. 35, entitled "An Act amending Sections 505, 506, 507, 508, 513, 522 and 526 of the Compiled Laws of Utah Territory relating to Irrigation Districts."

Very respectfully,
GEO. W. EMERY,
Governor U. T.

The following was received from the Council and read:

Council Chamber,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council has concurred in House Concurrent Resolution to print on slips the amended sections of Compiled Laws. The Council does not recede from items 41 and 43 of Appropriation Bill, but asks a Committee of Conference, and have appointed Councilors Smoot and Burton said committee on part of Council.

Very respectfully,
LORENZO SNOW,
President.

On motion of Mr. Fisher, that a committee of Conference on [H. F. 52], "Appropriation Bill," be appointed, Messrs. Pace and Carrington were designated said committee on the part of the House.

Mr. Pace, of Conference Committee, reported that the committee had come to a satisfactory agreement on the points in dispute.

On motion of Mr. Fisher, the Report of the committee was adopted.

Mr. Preston presented the following, which was read:

Resolved, That we, the Members of the House of Representatives of the Territory of Utah, extend to Hon. Orson Pratt, Speaker of the House, for the very able, kind, patient, just and impartial manner in which he has filled the Chair as Speaker during the sitting of this Assembly, our heartfelt thanks and honest good wishes that he may long live to serve his country.

W. B. PRESTON.

The Resolution was unanimously adopted.

Mr. Fisher presented the following, which was read:

Resolved, That we, the Members of the House of Representatives of the Territory of Utah, do heartily accord our thanks and express our satisfaction to Mr.

A. Stayner, for the able manner in which he has discharged his duties as Chief Clerk of this House; also that we extend to the different officers of this House our entire approval of the manner in which they have discharged their duties during this Session of the Legislature.

JOHN FISHER.

The Resolution was unanimously adopted.

The following was received from the Governor and read:

Executive Office,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen.,
Speaker House of Representatives:

Sir—I have the honor to inform you that I have this day approved, and filed with the Secretary of the Territory, [H. F. No. 52,] entitled "Appropriation Bill."

Very respectfully,
GEO W. EMERY,
Governor, U. T.

The following was received from the Council and read:

Council Chamber, City Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—The Council table is clear of business.

Very respectfully,
LORENZO SNOW,
President.

On motion of Mr. Carrington, the Council were notified that the table of the House was clear of business.

Messrs. Sharp and Pace were appointed, on the part of the House, Members of a Joint Committee, to wait upon His Excellency, the Governor, and inform him

that the table of the House was clear of business, and learn if he had any further communications to make to the Assembly.

The following message was received from the Council and read:

Council Chamber, City Hall,
Salt Lake City, Feb. 22, 1878.

Hon. Orson Pratt, Sen., Speaker,
and Members of the House of Representatives:

Gentlemen—Councilors Thurber and Burton have been appointed a committee on the part of the Council to wait on His Excellency, the Governor, and inquire if he has any further communication to make to the Assembly.

Very respectfully,
LORENZO SNOW,
President.

Mr. Sharp, of Joint Committee to wait upon the Governor, reported that His Excellency had no further communication to make. He returned thanks for the kindly feelings which had been manifested toward him by the Assembly, and hoped that mutual good will would continue, and their labors tend to the best interests of the people.

On motion of Mr. Taylor, the House unanimously reciprocated the kindly feelings manifested towards the Assembly by the Governor during the Session.

On motion of Mr. Farr, the House unanimously tendered to the Hon. Secretary of the Territory, Levi P. Luckey, a similar expression of their appreciation of the kindly nature of his relations with the Assembly during the Session.

On motion of Mr. Pace, the House dissolved.

Benediction by the Chaplain.

JOINT SESSION.

Representatives' Hall,
Salt Lake City, Feb. 22, 1878. 10 p.m.

Pursuant to previous agreement, the Assembly convened in Joint Session.

The President of the Council presiding.

The Chief Clerk of the Council called the Roll of the Council

Quorum present.

The Chief Clerk of the House called the Roll of the House.

Quorum present.

Clerk of the Council read the following Report:

Committee Room,
Salt Lake City, Feb. 23, 1878.

Mr. President,
and Members of the Legislative Assembly:

Gentlemen—Your Committee, to whom were referred instructions to determine the number and kind of Officers to be elected by joint vote of the Legislative Assembly at its present Session, find as follows:

One Chancellor of the Deseret University,
Twelve Regents of the Deseret University,
One Treasurer of the Deseret University,
One Territorial Treasurer,
One Auditor of Public Accounts,
One Territorial Surveyor-General,
One Librarian,
One Recorder of Marks and Brands,
One Territorial Road Commissioner,
Three Directors of the Penitentiary,

One Warden of the Penitentiary,
One Sealer of Weights and Measures.

Respectfully,

W. B. PACE,
Chairman.

On motion of Councilor Snow, Geo. Q. Cannon was elected Chancellor of the University.

On motion of Mr. Lyman, Karl G. Maeser was elected a Regent of the University.

On motion of Mr. W. G. Smith, David McKenzie was elected a Regent of the University.

On motion of Councilor W. R. Smith, W. W. Cluff was elected a Regent of the University.

On motion of Councilor Raleigh, John T. Caine was elected a Regent of the University.

On motion of Mr. Attwood, Geo. J. Taylor was elected a Regent of the University.

On motion of Councilor S. S. Smith, R. T. Burton was elected a Regent of the University.

On motion of Councilor Cluff, Geo. Reynolds was elected a Regent of the University.

On motion of Mr. Hatch, James Sharp was elected a Regent of the University.

On motion of Councilor Callister, Wm. Jennings was elected a Regent of the University.

On motion of Mr. Murdock, H. S. Eldredge was elected a Regent of the University.

On motion of Councilor Harrington, D. O. Calder was elected a Regent of the University.

On motion of Mr. Preston, Moses Thatcher was elected a Regent of the University.

On motion of Mr. Carrington, Geo. F. Gibbs was elected Treasurer of the University.

On motion of Councilor Burton, Wm. Clayton was elected Auditor of Public Accounts.

On motion of Mr. Carrington, James Jack was elected Territorial Treasurer.

On motion of Mr. Farr, Nephi W. Clayton was elected Librarian.

On motion of Mr. Carrington, A. P. Rockwood was elected Warden of the Penitentiary.

On motion of Councilor Burton, Wm. Clayton was elected Recorder of Marks and Brands.

On motion of Mr. Farr, Martin H. Peck was elected Sealer of Weights and Measures.

On motion of Mr. Pace, Jesse W. Fox was elected Territorial Surveyor General.

Minutes called for, read and accepted.

On motion of Councilor S. S. Smith, Joint Session dissolved.

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Report of the Territorial Superintendent of District Schools.

OFFICE OF THE TERRITORIAL
SUPERINTENDENT OF DISTRICT SCHOOLS,
Salt Lake City, Utah,
January 31, 1878.

To the Honorable, the Legislative Assembly:

GENTLEMEN—Herewith I submit to your Honorable Body, the Biennial Report of the Superintendent of District Schools in this Territory, for the years ending first Monday in November, 1876-7.

I have the honor to subscribe myself,
Yours respectfully,
JOHN TAYLOR,
Territorial Superintendent of District Schools.

REPORT.

Having been elected as Superintendent of the District Schools of this Territory, at the August election fo 1877, the short period of my service in that position compels me to rely, in part, upon others for required data, covering the past two years. But in such research as I have been able to make and such communications had in a very limited period of time, assisted by those observations which so often prove our best instructors, I am justified in congratulating the people of this Territory on a gratifying progress in the present, and a healthy promise for the future, in matters of education.

The importance of education, and its value, in all the relations of life, are recognized and appreciated by all classes. Our age has become so eminently inquisitive, so devoted to the investigation of universal truth, and has found such wonders in the laws of force and matter, that the enjoyment of the intellect through the acquisition of knowledge is valued more and more.

Our children become thinkers through the revelations of letters, by means of which the discoveries and inventions that have occupied the minds of former ages are appropriated, and their usefulness reproduced and added to in this. Each decade adds to accumulated wisdom, and this extended knowledge pushes its possessors to a wonderful elevation of intelligence; uniting men in a common equality of thought, and fitting them for positions in those higher, social, political and religious spheres that mark the elevation of our race, and develop individual usefulness. It is by this seemingly slow process of education, assisted by self-restraint; by the silent, but all powerful influence of the family circle, by habits of industry, and aided by the Almighty, that our children can be elevated to all the enjoyments and powers of useful citizenship, and become enabled to furnish combinations of science, freedom of thought, and material progress; whose value to the State and society cannot be measured in words. Knowledge is the power through which disease is averted and life prolonged; the masses clothed, fed and housed; vice punished and virtue rewarded; the landscape beautified with the works of culture and thrift; and the manifold agencies of commerce and manufactures made to perform their varied and growing functions; and through the agency of steam and electricity, by which also time and distance are apparently obliterated, manifested in our steamboats, our railroads and telegraph communications, making cosmopolitans of us all and bringing us into close communication with the whole world.

These truths having become axioms, it will be both the pleasure and the duty of Legislatures, as far as possible, to encourage and stimulate whatever system of education, in their judgment, is best adapted to the necessities of their constituencies; coupled with their ability to sustain.

In this connection your attention is respectfully called to that portion of the Message sent to your Honorable Body, this session, by the Governor, relating to "Common Schools," in which His Excellency calls attention to the fact that every religious denomination in the

Territory deems it necessary to furnish schools for its children, and gives the character of our school laws as the reason therefor. Notwithstanding the many excellent suggestions he offers in the abstract, I would respectfully submit that, outside of those denominational schools to which he refers, I know of none in this Territory, excepting that excellent institution, the Brigham Young Academy, in Provo, which is of that class. I would further remark, that there is no State nor Territory in the Union that is without such denominational schools, and that, although legislation has been tried frequently, in different States, to regulate these matters, it has hitherto signally failed. And while I fully concur with His Excellency the Governor in his suggestion in relation to "graded schools, with buildings devoted exclusively to school purposes" which should be attained as soon as practicable, yet I fail to see either the justice or equity of attempting, or the power of the Legislature to enforce the application of the $30,000.00 expended for private tuition (a large amount of which is gathered from abroad for Mission Schools), for the purposes of either District or City schools. On the other hand, there is no class distinction in our District schools, they are open alike to all denominations who choose to send, and all can avail themselves of any advantages resulting from any appropriation for school purposes made by the Governor and Legislative Assembly of this Territory. The amount of money people choose to spend annually for the private instruction of their children, is evidently a matter quite beyond the control of your Honorable Body, and is regulated and limited only by the inclination and capacity of those who choose to spend their own money, or that procured from others. It is true that nine-tenths of the people of this Territory are Latter-day Saints, and it cannot be denied, that with them as with other denominations, that if any religious instructions be introduced into our schools, it would be that believed in by the great majority of the people. But we have striven to avoid in our public schools, as in all our public enterprises, these religious distinctions which seem to make themselves so offensive to the generality of mankind; ac-

cording to all men the same rights that we claim ourselves. The law passed at the last session of the Legislature of this Territory, for the establishment and support of the District Schools, furnishes, in my judgment, all the relief at present necessary. The third section of that Act provides for the assessment of a tax of one-fourth of one per cent. for school purposes. Such a tax in Salt Lake City alone would produce about $17,000.00 which, added to the City's share of the appropriation, made by the Legislature, and judiciously proportioned and expended, would furnish quite an aid to the cause of education in this city for some time to come, in addition to the $30 000.00 which are spent annually in private tuition, and to "screen their religious training from the jostle of public schools." Furthermore, the fourth section provides "that whenever more than one-fourth of one per cent. per annum shall be necessary to purchase, build, repair or furnish school-houses, or for other school purposes, an estimate of the approximate cost shall be made by the Trustees, and the rate per cent. may be increased to any sum not exceeding three per cent. per annum."

Again, besides the one fourth of one per cent., equal at present to the entire revenue of the Territory, there is in addition, $26,750.00 appropriated from the Territorial quota, besides the very ample provisions made in the fourth section.

The above would seem to be quite liberal, unless it should be thought best by your Honorable Body, for the convenience of collection, to make a change by inserting, as has been suggested, the amount required in the Revenue Bill, and withdrawing the like amount from the School Law.

In any event, I can find no just cause or necessity that would justify the levying of any additional tax for school purposes, upon the people at large of this Territory, although I do feel that should any increase of revenue for school uses be found necessary, or if the present burden of taxation for those purposes should be found too heavy, it would be but right and proper that a class of property which constantly uses all the machinery of our

courts of law, at a great expense to the Territory, which receives so much and gives so little, which bears from us great quantities of material wealth annually, and places it in hands outside of our borders, and which receives protection from our settlements, and the benefits of our improvements, should by all rules of equity and justice, contribute by means of a proper tax paid to the sustenance of school fund; and I trust that this session of the Legislature will furnish a law, providing for the levying of a tax upon mining property, for the use and benefit of our District Schools.

The clause of the law referred to in section 4, does not authorize the assessment of the tax therein provided for by the Legislature, but leaves the decision to those most interested and most competent to judge of the wants of each School District, the residents and taxpayers thereof. The present laws properly interpreted are sufficiently liberal and capable of supplying all the needs of education for a time, at least And this opinion is sustained by the fact that throughout the Territory there is an intelligent and capable product of our school system, in the shape of young men and women, whose degree of intelligence and general ability to perform the duties of life, will compare favorably with, and surpass the average of those in any portion of our country. This statement is fully sustained by the report of illiteracy in the several States and Territories, contained in the compendium of the Ninth Census (1870) issued under the direction of the Secretary of the Interior of the United States, which report shows that at that time (1870) the whole population of the United States was 38,925,508. The number of people of all ages in the United States who could not read, was 4,528,084, and the number of all ages who could not write, was 17,002,264, and the percentage of illiteracy was 55.2. While in the Territory of Utah at the same date (1870) the whole population was 86,786, the number of all ages who could not read, was 2,515; the number of all ages who could not write, 22,089; while the per centage of illiteracy, was 29.5, or a little more than one-half of the per centage of the United States. It is safe to say

that the last seven years, under the different improvements in our system, will have greatly increased our standard of literacy; so that were the figures attainable to-day, the showing would be still more in our favor. The above census of this Territory, it is true, has been considered by competent judges as being very far short of the numbers of the population then actually resident in the Territory. But it will be conceded that an increase of population, giving the correct numerical status, would not materially change the literacy; but that the one would naturally increase with the other.

STATISTICS.

The school population at the close of the school year 1876 was 30,900. Of this number 19,866, or 64 per cent. were found enrolled, an increase of 10 per cent. since last report, and the highest ever obtained in this Territory. At the close of the school year of 1877, the school population reported was 30,792 and the enrollment 19,779, or 64 per cent. The average daily attendance in 1876 was 13,608, or 44 per cent. of the school population. The average daily attendance in 1877 was 13,420, or 43-5 per cent. of the school population.

The apparent falling off in the number of school population since the last report is attributable to the change made in the school age. When the last report was submitted, the school age was from four to sixteen years. Since then it has been changed to include those only between the ages of six and sixteen. In other words, we have two years less (or one-fifth of the period embraced in the present school age) upon which to frame our reports. Again, the failure of Tooele County to make its report, subtracts another thousand from the number. So that on the basis of the last report there would now be:

Number of children between 6 and 16 years of age (1877)	30,792
Add one-fifth to above, so as to include those between 4 and 6 years	6,158
Number in Tooele County not reported this year	1,000
Making school children, on basis of last report	37,950

Or an increase, in two years of..... 2,254.

While this report upon the basis of 6 to 16 producing a school population of 30,900 for 1876 is able to furnish an enrollment of 19,886, a fact which indicates a very marked improvement in our facilities for reaching all the children of school age.

The whole number of schools reported this year is 327, an increase of 17 during the past year, and of 31 since the last report.

The amount of Territorial Appropriation annually is.....	$20,000.00
The amount paid to Teachers annually is.....	77,480.68
The amount of taxes for Schools annually is..	30,415.94
The amount of Building Fund raised in 1877 is	30,717.26
The amount of Superintendent's salary, per year is.....	1,500.00
The amount of Stationery, Printing, etc., per year.....	250.00
Making a total annual expenditure of.....	$160,063.88
Increased by Salaries paid Private and Mission school teachers, approximate....	50,000.00
Makes a total expended on schools in the Territory.....	$210,063.88
The reported value of District School Property in the Territory is.....	$323,202.89
The value of Property owned by Private Schools is about.....	75,000.00
Which makes the reported value of School Property.....	$398,202.89

It will be noticed that the value of School Property in the last report of the Superintendent of the Territorial Schools is greatly in excess of that contained in this report. This difference arises from a misconception on the part of County Superintendents as to what was required

of them in their reports. In a great number of School Districts in the Territory, buildings have been erected for school puposes, and during the week are so used, while on the Sabbath they are made to supply the place of Churches or Meeting Houses in which the neighborhood conduct their religious worship. These buildings, in many instances, are not only used as schools, but are also under the direction of School Trustees. This practice prevails in all the new States and Territories, and has led to the uncertainty in the minds of those who made County Reports to the Territorial Superintendent, which resulted in many instances in a failure to report any School Property valuation whatever. While the real facts in the case are, that since the last report there has been added to the valuation of School Property, over $100.000.00, and the total valuation of such property in the Territory to-day would reach upwards of $600,000.00.

The misconception above referred to is clearly exhibited in the reports made by Prof. O H Riggs as County Superintendent of Salt Lake County, for the year 1876, and those of Prof. T. B. Lewis, the present incumbent. The former places the value of all School Property in the County at $187,832.00, whist the latter places it at $60,223.00 a difference of $127,609.00. Mr. Lewis assigns the same reason as I have above given for the difference in the two valuations. Thus we may safely say as above,

Total value of School Property..... $600,000.00

SCHOOLHOUSES.

In the matter of School Buildings there is an increasing demand for space, and improvement in construction.

In most of the Districts it has been almost impossible to consult practical architects, in consequence of which very many of the requisites of proper schoolhouses have been sacrificed to the necessities of individual cases. The most important wants of a school-room are light, ventilation, and proper facilities for heating and furnishing. After these, the builders should endeavor to relieve the

building, on the outside, from that awkward appearance which frequently attends these structures, because of the want of a harmonious plan in the beginning. I am not in favor of an expensive character of Schoolhouse, on the contrary, I believe those mistakes which make buildings look awkward, can be avoided without incurring material additional expense in their construction.

The first matter to decide in the erection of a schoolhouse is the selection of a suitable site. This should be high and dry; easy of access; near the centre of population, and if possible, not less than an acre in extent. It should not be placed too near a public highway, where in Summer season when doors and windows are open, the noise of wheels and clouds of dust would prove an annoyance to the School, nor near a noisy manufactory. The building should be placed in the centre of the lot with the cellar dirt thrown up around it so as to form a regular slope from the building.

The lot should be surrounded by a neat strong fence, and divided by a fence in the rear, between the boys' and the girls' playgrounds. Two water closets should always be provided The grounds should be ornamented with a number of shade trees which can always be done with little or no expense, and adds so much to the attractiveness and comfort of the place. Gravel or plank walks should be laid from the street to the Schoolhouse. All Schoolhouses should have a cellar excavated under the entire building to a depth of not less than two feet six inches, as this adds to the ventilating capacity of the building, and conduces to the general health of the School.

The foundation walls should be built of good building stone, laid up solid in good mortar, and from three to six feet high from cellar bottom to the under side of sills. The materials used in constructing the house must vary, as the locality varies in furnishing them; but after all else is done the Trustees should see that the proper furniture, maps, charts, blackboards, etc., which furnish so important a part in the equipment of a School are well supplied, and of the best possible character.

In the matter of seats and desks, so far as practic-

able, it would be well to have them of home manufacture. I have seen a very excellent pattern of school desk constructed by Mr. G. Lundberg, of Logan, Cache Valley, equal if not superior to any imported, and if the carriage is too far to some remote portions of the Territory, we have sufficient mechanical skill to improvise desks and seats that would answer all purposes, and would probably be quite as cheap and serviceable as those brought from abroad.

SCHOOL TEACHERS.

Some one has said that the School Teacher governs the State. Without endorsing this opinion, I feel that the importance of a proper selection of persons, in whose hands is placed the framing of the character of our children in so large a degree, cannot be overestimated. The faithful performance of their duties calls for character, intelligence, tact and unlimited patience. It is a want constantly felt in a greater or less degree, wherever their services are required; and this Territory is no exception to the general rule, which want, however, we have endeavored in a measure, at least, to satisfy by the system of Normal training, which fits persons for the duties of the Teacher, and by reason of which, under a stipulation made with applicants for admission to that training, we are enabled to receive one year's service as Teachers after finishing the course for each year's tuition received by them; thus securing to the Territory, capable and practiced Teachers. In addition to this, if the Board of Examiners will exercise due care in the matter of passing only those whose examinations manifest the required standard o qualification, our corps of Teachers will continue to be all that can be desired.

COUNTY SUPERINTENDENTS AND TRUSTEES.

The Superintendents of the different Counties have generally been faithful and willing in the performance of their duties, and I most respectfully urge their receiving

from the County Courts such recognition of their efforts as will result from a more liberal appreciation of their services.

I herewith call the attention of the County Superintendents of District Schools, to Section 17 of the School Laws, requiring a financial report, etc., which has not been complied with by a great majority of the Superintendents, in consequence of which, I am unable to make the Territorial Financial Report, as I should have desired to have done. I trust in the future a due regard will be had to this requirement.

UNIVERSITY OF DESERET.

The University of Deseret continues to fulfil the expectations of its many friends, and furnishes a very superior course to those desiring Academic and Collegiate opportunities. The Institution is worthy of all and even more than it receives, and in future years will be regarded as one of the successful pioneers of education among us.

While a full report of the University of Deseret does not come within my official requirements, yet as an important part of the educational system of our Territory, I deem it my duty to refer to the Institution in terms of approbation and recommendation.

It should be supported liberally, and be conducted, as I believe it is, within its present capacity, in a manner worthy our Territory, as the exponent and culmination of our educational plan.

The Normal Department of the Institution however, comes more directly within my official supervision, and of it I have only to report favorably.

The Department has already sent out a large number of proficient Teachers, who are doing a good work in education, and in elevating the standard of scholastic proficiency. There is yet, however, a great demand for competent Teachers, and I know of no better way, or of any more economical plan to satisfy this demand, than a liberal support and encouragement of this Department. Without proficient Teachers, we certainly cannot have good Schools, let the system adopted be ever so perfect.

The patronage of the Normal Department, for the last half of the Academic year, 1875-6, was 37; that of the year 1876-7, 43; and for the first half of the present year, 1877-8, 23. The Territorial provision covers a patronage of 40 students. I think, however, the Normal Schoo should be much more largely attended.

A patronizing recognition of the importance of this School by your Honorable Body would, I am confident, do much in developing and elevating the educational interests of our Territory.

The following is the course of studies pursued by the Normal students during the last half of the Academic year, 1875-6, and during the year 1876-7:

Theory and Practice of Teaching, Reading and Elocution, English Grammar, Modern Geography, Arithmetic, Penmanship, Orthography and Punctuation, Bookkeeping, Composition and Rhetoric, United States History, Political Economy, Civil Government, Zoology, Physiology, and Mental Philosophy.

This list of studies, however, was found to be entirely too extensive for a single year's course, or for the preparation found among the majority of students who entered the Department.

The present course, which has received my endorsement, is the above, modified by omitting Political Economy, Civil Government, Penmanship and Bookkeeping, and Mental Philosophy.

The Normal students, however, if proficient in any of the studies prescribed in the course, have the privilege of pursuing other branches taught in the University instead, without additional charge. For further details concerning the Institution, I refer you to the biennial report of the Chancellor.

In answer made to inquiry among the County Superintendents, as to the cause in the falling off of the number of applicants among the Normal Students, I am informed that the existence of excellent schools in other parts of the Territory, such as the one at Provo, also the one in Cache Valley, near the homes of these students, enables them to have the advantage of the tuition without the

accompanying expenses of board, lodging and traveling, which would be necessary should they attend the University in this city, and which additional expense many feel unable to meet.

This explanation, may, therefore, be taken as a pleasing compliment to the facilities afforded our students to prepare themselves for the duties of Teachers, in different parts of the Territory, without subtracting from the value and character of that training in our University of Deseret.

THE BRIGHAM YOUNG ACADEMY.

This excellent Institution, in its successful management and the large number of students under its control, furnishes an example of the good that can be accomplished by private gifts, to public uses, founded upon a grant made by President Brigham Young, and placed in the hands of Trustees, and under the control of an efficient executive committee, it has steadily pushed its way to the front rank of our educational system, and now commands the confidence and support of the entire Territory.

THE BRIGHAM YOUNG COLLEGE OF LOGAN.

In addition to the Brigham Young Academy of Provo, our late respected President improvised another Academy in Cache Valley, and endowed it with between 9,000 and 10,000 acres of valuable land and organized a Board of Trustees, namely, Hons. Moses Thatcher, Brigham Young, Wm. B. Preston, M. D. Hammond, Geo. W. Thatcher, C. O. Card and Miss I. I. Cook, to carry into effect the provisions of the deed. We may reasonably anticipate very great advancement in school interests in that County from this very liberal bequest.

The same gentleman, the last year of his life, also deeded a valuable piece of ground for school purposes

in the 18th Bishop's Ward in Salt Lake City, and placed it under the direction of a Board of Trustees.

SUPPOSED GOVERNMENT SCHOOL AID.

A crude but erroneous opinion has prevailed among some people that we had received considerable school aid, in the shape of Government Lands. This probably has originated from the fact that we have at our general elections put in nomination and elected Commissioners for the selection of University Lands.

Section 15 of the Organic Act provides "That when the lands in said Territory shall be surveyed preparatory to bringing the same into market, sections numbering sixteen and thirty-six in each Township in said Territory shall be and the same are hereby reserved for the purpose of being applied to Schools in said Territory." Section 1,946 of the Revised Statutes of the United States (1875) also makes the same provision.

This provision in the Organic Act and the Revised Statutes explains itself, and points out definitely the sections thus to be selected.

In an Act of Congress, approved January 21st, 1855, it is provided that, when the lands in said Territory (Utah) shall be surveyed, as aforesaid, a quantity of land equal to two Townships shall be and the same is hereby reserved for the establishment of a University in said Territory, and in the State hereafter to be created out of the same; to be selected under the direction of the Legislature in legal sub-divisions of not less than one half section, *and to be disposed of as said Legislature may direct.*

Full power and authority are hereby given to the *Secretary of the Interior* to issue all needful rules and regulations *for fully carrying into effect the several provisions of this Act.*

"An Ordinance incorporating the University of the State of Deseret" was passed and approved February 28th, 1850, and also, pursuant to the above Act, "An Act to provide for the selection and location of a quantity of land, equal to two Townships, for the establishment of a University," approved January 21st, 1859.

I respectfully draw the attention of the Legislative Assembly to this Act. For although it is supposed by many that it would require an enabling Act by Congress to put the Territory in the possession of sections numbering sixteen and thirty-six in each Township for School purposes, yet it would seem competent for the Legislature to adjust the matter of University Lands; for the law specifically provides that the lands are to be disposed of as said (Utah) Legislature may direct. Should this Legislative Body, upon inquiry, discover a necessity for further information, application could be made to the Secretary of the Interior, *who is fully empowered and authorised* to carry out the provisions of this Act.

I would also respectfully suggest to your Honorable Body, that it might not be out of place to forward to Congress a petition praying for an Enabling Act, authorizing the allotment and distribution of Sections sixteen and thirty-six, in each Township for School purposes, which that august body so munificently granted so long ago, but of which to the present we have derived no advantage; such a petition could certainly do no harm and it might be the means of drawing the attention of that Honorable Body to this subject, and of leading Congress to perform an act of grace which without injuring any one might be advantageous to our rising generation and render very material assistance to our school interests.

The great majority of the States have large School Funds, derived principally from extensive land grants made by Congress from the Public Domain, amounting to hundreds of millions of dollars, and in many of the older States by very liberal grants from the Legislatures of the several States, while up to the present time Utah has not received

one dollar from Congress and not one acre of land; but has had to depend solely on her unaided energies principally by the united operations of private citizens, with such small aid as a feeble, struggling Territory could impart through its Legislature; which by them, as shown in this report, has not been grudgingly given. It would seem very proper that Congress should be the guardian and protector of the Territories in their infantile state, while battling with the difficulties incident to all new countries, and thus give encouragement to the youth to obtain an education and prepare themselves for the great struggle of life, that they may be prepared through the intelligence thus obtained, to take rank among the scientists, literati, statesmen and rulers of our land, and hereafter to administer in the affairs of future Territories and States.

LIST OF SCHOOL OFFICIALS

IN

UTAH TERRITORY.

TERRITORIAL SUPERINTENDENT OF DISTRICT SCHOOLS.

JOHN TAYLOR, - - - - SALT LAKE CITY.

COUNTY SUPERINTENDENTS:

COUNTY.	SUPERINTENDENT.	POST OFFICE ADDRESS.
Beaver,	John P. Lee,	Beaver City.
Box Elder,	A. Christensen,	Brigham City.
Cache,	Ida Ione Cook,	Logan City.
Davis,	Chester Call,	Bountiful.
Iron,	J. E. Dalley,	Parowan.
Juab,	Andrew Love,	Nephi.
Kane,	Wm. D. Johnson, Jr.,	Kanab.
Millard,	Thomas C. Callister,	Fillmore.
Morgan,	John K. Hall,	Peterson.
Piute, *	Charles Merrill,	Marysvale.
Rich,	W. P. Nebeker,	Lake Town.
Salt Lake,	T. B. Lewis,	Salt Lake City.
Sanpete,	John B. Maiben,	Manti.
Sevier,	H. P. Miller,	Richfield.
Summit,	Chas. T. Mills,	Coalville.
Tooele,	L. Bethune,	Stockton.
Utah,	W. H. Dusenberry,	Provo.
Wasatch,	S. J. Wing,	Heber.
Washington,	Miles P. Romney,	St. George.
Weber,	L. F. Monch,	Ogden.

* No school organization in County.

DISBURSEMENT

OF THE

TERRITORIAL APPROPRIATION

For the Years 1876 and 1877.

Report of the Annual Allotment of School Money to each County, and the *pro rata* dividend to the several School Districts of the Territory, of the Legislative Appropriation for the years 1876 and 1877, for the use and benefit of District Schools.

COUNTIES.	1876. Amount Allotted.	1877. Amount Allotted.
Beaver,	$ 389	$ 389 70
Box Elder,	934	992 46
Cache,	1,888	2,119 39
Davis,	878	906 09
Iron,	374	426 09
Juab,	433	387 77
Kane,	498	601 45
Millard,	656	631 99
Morgan,	332	353 35
Piute, *	....	.... ..
Rich,	173	167 59
Salt Lake,	4,288	4,223 79
Sanpete,	1,830	1,804 36
Sevier,	563	677 47
Summit,	602	644 98
Tooele, †	505	....
Utah,	2,614	2,733 15
Wasatch,	499	444 92
Washington,	616	627 44
Weber,	1,928	1,868 01
	$20,000 00	$20,000 00

*No school organ zed. † No Report for 1877.

BEAVER COUNTY.

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
1 Beaver City,	$ 44	$ 41 57	
2 " "	61	86 38	
3 " "	84	60 40	
4 " "	55	53 26	
5 Greenville,	47	38 82	
6 Adamsville,	42	44 17	
7 Minersville,	56	65 10	
	$ 389	$389 70	

BOX ELDER COUNTY.

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
1 Union,	$ 33	$ 31 83	
2 Willard,	85	82 49	
3 Salt Lake,	25	22 73	
4 Three Mile Creek	52	48 06	
5 Brigham City,	377	397 49	
6 Mantua,	59	66 25	
7 Lake,	24	29 23	
8 Call's Fort,	26	16 49	
9 Deweyville,	49	55 21	
10 Bear River City,	35	53 91	
11 Portage,	41	50 66	
12 Corinne,	88	87 69	
13 Zarahemla,	16	17 54	
14 East Portage,	24	29 88	
15 Terrace,	.....	.....	No Report.
	$ 934	$992 46	

CACHE COUNTY.

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
1 Logan,	$ 487	$ 553 37	
2 Hyde Park,	100	81 84	
3 Smithfield,	234	221 49	
4 Richmond,	168	156 54	
5 Clarkston,	64	117 57	
6 Newton,	42	56 52	
7 Mendon,	77	92 88	
8 Wellsville,	205	200 05	
9 Hyrum,	175	201 99	
10 Paradise,	62	132 50	
11 Millville,	83	95 47	
12 Providence,	98	114 32	
13 Lewiston,	77	77 95	
14 Benson,	16	16 90	
15 Coveville,	.....	.....	
	$1888	$2119 39	

DAVIS COUNTY.

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
1 South Bountiful,	$ 111	$ 79 89	
2 East "	152	166 28	
3 Centreville,	52	56 52	
5 Farmington,	151	151 98	
6 North Farmington,	42	38 32	
8 Kaysville,	165	201 99	
9 Hooperville,	.....	.....	No Report.
10 South Weber,	25	22 74	
11 West Bountiful,	53	55 86	
12 Daniel Wood,	.....	.....	No Report.
13 East Kaysville,	41	42 87	
14 North Centreville,	27	31 18	
15 South Hooperville,	59	58 46	
	$ 878	$906 09	

IRON COUNTY.

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
1 Cedar City,	$....	$105 87	No Report 1876.
2 Summit,	24	24 03	
3 Parowan,	180	150 04	
4 Paragoonah,	41	36 37	
5 Panguitch,	129	96 13	
6 Fort Hamilton,	.....	13 65	No Report 1876.
7 Fort Johnson,	.....	.....	No Report.
8 Iron City,	.....	.....	No Report.
	$ 374	$426 09	

JUAB COUNTY.

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
1 Nephi,	$ 279	$308 52	
2 Levan,	78	.....	No Report 1877.
3 Mona,	76	79 25	
4 Diamond,	..	.....	No Report.
	$ 433	$387 77	

KANE COUNTY.

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
1 Kanara,	$ 55	$ 51 95	
2 Harmony,	34	34 42	
3 Bellevue,	9	.....	No Report 1877.
4 Toquerville,	71	67 55	
5 Virgin City,	40	48 71	
6 Duncan's Retreat,	18	20 79	
7 Rockville,	45	75 02	
8 Kanab,	90	91 59	
9 Mt. Carmel,	23	22 09	
10 Glendale,	32	29 88	
11 Pahreah,	.....	21 44	No Report 1876.
12 Johnson,	.....	18 84	" " "
13 Springdale,	10	18 19	
14 Shonesburg,	18	16 89	
15 Upper Kanab,	.....	.....	No Report.
16 Orderville,	53	105 21	
17 Grafton,	.....	16 89	No Report 1876.
	$ 498	$601 45	

MILLARD COUNTY.

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
1 Fillmore,	$ 40	$ 36 38	
2 "	80	64 96	
3 "	63	42 21	
4 "	.....	.....	No Report.
5 Scipio,	122	87 69	
6 Oak Creek,	40	36 38	
7 Deseret,	.....	81 19	No Report 1876.
8 Kanosh,	159	139 64	
9 Holden,	82	70 80	
10 Meadow Creek,	70	72 74	
11 Petersburg,	.....	.....	No Report.
	$ 656	$631 99	

MORGAN COUNTY.

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
1 Mountain Green,	$ 20	$ 16 89	
2 Weber City,	34	28 58	
3 Enterprise,	19	18 19	
4 Milton,	31	31 18	
5 North Morgan,	40	56 31	
6 Croyden,	41	37 02	
7 South Morgan,	82	83 79	
8 Richville,	32	22 09	
9 East Portage,	33	26 63	
10 West "	.....	32 47	No Report 1876
	$ 332	$353 35	

RICH COUNTY.

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
1 Randolph,	$ 68	$ 60 40	
2 Woodruff,	38	44 82	
3 Lake Town,	47	46 12	
4 Meadowville,	20	16 24	
	$ 173	$167 59	

SALT LAKE COUNTY.

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
1st Ward, S. L. City,	$ 68	$ 63 01	No Reports from Districts No. 18, 42, 44, 46, 47, 48, 49 and 50,
2d " "	94	114 31	
3d " "	54	56 51	
4th " "	65	69 50	
5th " "	126	37 67	
6th " "		83 79	
7th " "	125	167 58	
8th " "	128	128 61	
9th " "	107	85 09	
10th " "	143	161 73	
11th " "	164	183 16	
12th " "	151	146 79	
13th " "	258	252 00	
14th " "	161	145 49	
15th " "	173	184 45	
16th " "	181	179 26	
17th " "	164	166 92	
18th " "	.....	.....	
19th " "	225	224 73	
20th " "	372	227 98	
21 Gardner's, "	143	144 83	

SALT LAKE COUNTY (continued).

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
22 Draper,	130	90 93	
23 Union,	42	43 52	
24 South Cottonwood,	83	80 54	
25 North "	91	110 42	
26 N. E. "	41	40 27	
27 S. E. "	41	58 46	
28 Big "	60	95 48	
29 Sugar House,	133	106 52	
30 East Mill Creek,	55	49 36	
31 West " "	60	55 21	
32 Brighton,	63	.....	No Report 1877.
33 Neff's Mill,	53	74 05	
34 Fort Herriman,	35	40 27	
35 South Jordan,	35	.....	No Report 1877.
36 North Mill Creek,	77	74 70	
37 S Dis. Big Cott'nw'd,	51	.....	No Report 1877.
38 Bennion's,	44	46 12	
39 S. E. Dis. Mill Creek,	51	44 17	
40 Mousley's,	48	48 71	
41 Sandy,	51	87 69	
42 Granite,	.....	.....	No Report.
43 Bingham,	116	74 05	
44 Draper,	.....	.....	No Report.
45 Bingham Highlands,	26	28 58	
51 21st Ward S. L. City,	.....	151 33	Not Organized 1876.
	$4288	$4223 79	

SANPETE COUNTY.

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
1 Manti,	$ 252	$ 281 23	
2 Ephraim,	322	304 61	
3 Spring,	159	163 02	
4 Mt. Pleasant,	386	353 97	
5 Fairview,	172	179 91	
6 Thistle,	.....	.....	No Report.
7 Fountain Green,	147	133 15	
8 Moroni,	149	126 67	
9 Freedom,	19	20 14	
10 Wales,	50	24 04	
11 Canal,	.....	32 48	No Report 1876.
12 Fayette,	20	13 00	
13 Gunnison,	87	101 32	
14 Petit,	18	24 69	
15 Mayfield,	49	46 13	
	$1830	$1804 26	

SEVIER COUNTY.

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
1 Salina,	$ 47	$ 97 43	
2 Glenwood,	49	57 81	
3 Richfield,	213	224 08	
4 Monroe,	123	125 36	
5 Annabella,	18	32 48	
6 Inverury,	22	52 61	
7 Joseph,	44	44 17	
8 Prattsville,	12	.....	No Report 1877.
9 Grass Valley,	14	.....	No Report 1877.
10 Elsinore,	21	30 53	
11 Vermillion,	.....	13 00	Not Organized 1876.
	$ 563	$ 677 47	

SUMMIT COUNTY.

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
1 Henneferville,	$ 33	$ 36 37	
2 Coalville,	132	139 00	
3 Hoytsville,	65	70 15	
4 Wanship,	80	82 49	
5 Rockport,	25	25 33	
6 Peoa,	50	51 96	
7 South Kamas,	63	67 55	
8 Upton,	36	25 98	
9 Parley's Park,	50	74 05	
10 North Kamas,	26	31 18	
11 Echo,	42	40 92	
	$ 602	$ 644 98	

TOOELE COUNTY.

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
1 Tooele City,	$ 173	$.....	No County Report for Year 1877.
2 Grantsville,	170	.....	
3 Grantsville,	65	.....	
4 E, T. City,	.....	.....	No Report 1876.
5 Pine Canyon,	.....	.....	do
6 St. Johns,	.....	.....	do
7 Stockton,	.....	.....	do
8 Jordanville,	.....	.....	do
9 Vernon,	.....	.....	do
10 Ophir,	50	.....	
11 Ranche,	.....	.....	No Report 1876.
12 Rush Lake City,	47	.....	
	$ 505	.....	

UTAH COUNTY.

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
1 Provo,	$ 499	$ 486 47	
2 Springville,	352	338 38	
3 Spanish Fork,	283	307 21	
4 Salem,	63	66 26	
5 Benjamin,	.....	22 09	No Report 1876.
6 Payson,	286	316 96	
7 Spring Lake,	23	30 54	
8 Santaquin,	90	98 73	
9 Goshen,	113	87 69	
10 Fairfield,	43	35 08	
11 Cedar Fort,	56	55 21	
12 Lehi,	239	240 31	
13 Alpine,	61	49 37	
14 American Fork,	316	318 91	
15 Pleasant Grove,	.....	242 91	
16 Lakeview,	.....	37 03	No Report 1876.
	$2614	$2733 14	

WASATCH COUNTY.

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
1 Heber City,	$ 132	$ 135 74	
2 " "	97	84 44	
3 Midway,	150	89 63	
4 Wallsburgh,	81	75 35	
5 Charleston,	39	33 78	
6 Center,	.....	25 98	Not Organized 1876.
	$ 499	$ 444 92	

WASHINGTON COUNTY.

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
1 Fort Hamblin,	$ 16	$ 10 40	
2 Leeds,	20	20 14	
3 Harrisburg,	30	21 44	
4 Washington,	110	110 41	
5 St. George, 1st Ward,	35	37 67	
6 " 2d "	36	37 67	
7 " 3d "	99	92 88	
8 " 4th "	92	93 53	
9 Santa Clara,	45	47 41	
10 Pine Valley,	69	66 25	
11 Pinto,	42	30 58	
12 Hebron,	22	30 53	
13 Grass Valley,	.	.... ..	No Reports.
14 Price City,	. ..	.....	No Reports.
15 Gunlock,	.....	28 58	Not organized '76
16 Middleton,	.....	..... .	
	$ 616	$627 44	

WEBER COUNTY.

DISTRICTS.	1876. Pro Rata Dividend	1877. Pro Rata Dividend	REMARKS.
1 District,	$ 197	$ 157 18	
2 "	388	315 01	
3 "	174	174 07	
4 Mound Fort,	52	54 56	
5 Lynne,	63	74 70	
6 Slaterville,	64	68 20	
7 North Ogden,	129	96 78	
8 District,	91	106 52	
9 Plain City,	104	91 58	
10 Riverdale,	51	54 56	
11 Marriott's,	54	53 91	
12 Uintah,	41	61 71	
13 Alma,	108	92 73	
14 Huntsville,	144	168 87	
15 Eden,	52	70 14	
16 Hooperville,	139	129 26	
17 Hot Spring,	42	44 82	
18 Wilson's Lane,	35	53 91	
19 Liberty,	.....	.....	No Reports.
	$1928	$1868 01	

In conclusion, I would suggest the publication of this Report in pamphlet form, accompanied by the late School Law, and any revision that may be made therein by your honorable body at the present Legislative session, that the County Superintendents, School Trustees and Teachers may be supplied therewith, and that there may be sufficient to supply the demands of other States and Territories, the Superintendents of which have extended the same courtesy to me.

I fully concur with the remarks of his Excellency, Governor Emery, on the subject of reciprocating favors received from others, where he states: "In complying with these requests, we only liquidate a debt which has long been due, and which should have been provided for in the Bill relating to the compilation of the laws." [Gov's Message, p. 7.]

All of which is respectfully submitted,

JOHN TAYLOR,
Territorial Superintendent of District Schools.

Territory of Utah, }
County of Salt Lake, } ss

I, John Taylor, Superintendent of District Schools, do solemnly swear that the Appropriation made by the Legislature of this Territory for the use and benefit of District Schools, has been apportioned and expended among the different Counties and School Districts as shown in the foregoing Tables, as will fully appear by reference to the vouchers on file in the office of William Clayton, Territorial Auditor of Public Accounts

JOHN TAYLOR.

SEAL.

Sworn and subscribed to before me this 4th day of February, Eighteen Hundred and Seventy-Eight.

JAMES JACK,
Notary Public.

BIENNIAL REPORT OF UTAH TERRITORY,

ENDING FIRST MONDAY IN NOVEMBER, 1876 and 1877.

JOHN TAYLOR, Superintendent of District Schools.

NAMES OF COUNTIES.	Year.	No. of Districts in County.	No. of Districts Reported.	No. of Schools.	No. of Male Teachers.	No. of Female Teachers.	No. of Boys in County between the ages of 6 and 16 years.	No. of Girls in County between the ages of 6 and 16 years	Total between 6 and 16 years.	No. of Male Scholars enrolled.	No. of Female Scholars enrolled.	Total enrolled.	Per centage of names enrolled.	Average daily attendance.	Per centage of School Population actually attending School.	Amount paid to Male Teachers.	Amount paid to Female Teachers.	Total paid to Teachers.	No. of days School has been taught during the year.	Amount of Building Funds raised.	Amount of Taxes appropriated to the use of Schools.	Real Value of School Property.	Territorial Appropriation.
Beaver	1876	7	7	8	7	7	292	309	601	261	246	507	84	316	53	1230 00	742 50	1972 50	116			5920 00	389 00
"	1877	7	7	10	5	10	292	308	600	222	242	464	77	358	60	1400 00	1010 00	2410 00	152				389 70
Box Elder	1876	14	14	25	18	19	736	707	1443	542	542	1084	75	868	60	2793 00	1321 75	4114 75	136	225 00	1357 42	21450 00	934 00
"	1877	15	14	21	14	15	772	756	1528	504	536	1040	68	839	55	2119 00	1486 00	3605 00	140	850 00	2041 00	16550 00	962 46
Cache	1876	14	14	29	17	15	1454	1464	29 8	1045	984	2029	67	1120	38	4368 75	3466 5	7835 25	166	2863 45	254 73	26850 00	1888 00
"	1877	15	14	31	21	21	1652	611	3263	993	956	1949	59	1308	41	4367 45	2659 00	7026 45	170	3751 05	2667 41	25700 00	2119 39
Davis	1876	12	11	16	9	16	692	664	1356	446	441	887	65	618	46	2160 00	1603 00	3763 00	125	1656 30	1397 91	22159 00	878 00
"	1877	11	11	17	15	15	740	655	1395	539	479	1018	73	669	47	3000 60	1534 10	4534 70	133	1374 12	2473 54	17925 50	908 09
Iron	1876	4	4	8	6	7	294	283	577	209	210	419	73	354	61	640 00	480 00	1120 00	133	400 00	494 00	1550 00	374 00
"	1877	8	6	15	8	8	333	323	656	227	300	527	80	460	70	1980 33	909 00	2889 33	144	293 00	491 85	4568 00	426 09
Juab	1876	4	3	5	3	4	376	293	669	237	198	435	65	278	41	761 00	677 00	1438 00	250	510 00		3550 00	433 00
"	1877	4	2	6	3	3	334	263	597	186	147	333	56	266	45	321 00	477 00	798 00	266	1000 00	400 00	2000 00	387 77

Kane	1876	16	13	19	11	18	420	349	769	441	332	773	100	533	69	1872 00	910 00	2782 00	120	2500 00	800 00	7450 00	498 00
"	1877	17	15	25	13	15	509	417	926	479	433	912	99	630	68	2165 75	1489 00	3654 75	128	2653 83	276 83	9570 00	601 45
Millard	1876	10	8	10	5	11	535	478	1013	328	359	687	68	485	48	1105 00	910 00	2015 00	158			12500 00	656 00
"	1877	11	9	10	9	8	473	500	973	363	390	753	77	439	45	1746 00	265 00	2011 00	181	1016 57	45 00	10300 00	631 99
Morgan	1876	10	9	10	10	8	261	252	513	215	209	424	83	319	62	1624 50	647 25	2271 75	116	500 00	1591 70	16070 85	332 00
"	1877	10	10	12	9	8	274	270	544	223	224	447	82	360	66	1332 25	900 00	2232 25	96	949 00	2000 83	13950 00	353 35
Rich	1876	4	4	4	3	3	135	131	266	89	74	163	61	119	44	232 00	120 00	352 00	110		116 00	2000 00	173 00
"	1877	4	4	4	3	3	133	125	258	108	83	191	74	127	49	495 00	255 00	750 00	91	644 39	19 50	1144 39	167 59
Salt Lake	1876	45	38	38	31	32	3353	3274	6627	1811	1589	3400	51	2060	31	14716 45	5495 50	20211 95	172	3342 67	2833 45	187832 00	4288 00
"	1877	51	41	40	29	35	3352	3151	6503	1534	1343	2877	44	1859	29	9112 15	4669 00	13781 15	173	4373 88	4307 13	60223 00	4223 79
Sanpete	1876	15	13	30	16	20	1392	1435	2827	907	984	1891	67	1163	41	4307 00	2237 00	6544 00	151	3089 80		18600 00	1830 00
"	1877	15	14	32	18	22	1421	1357	2778	955	905	1860	67	1312	47	4703 00	2306 00	7012 00	156	542 80	1047 50	19050 50	1804 36
Sevier	1876	10	10	7	7	6	459	410	869	305	247	552	64	357	41	1167 00	444 00	1611 00	103	90 56	294 92	2240 00	593 00
"	1877	11	9	8	8	9	549	494	1043	309	257	566	54	458	44	2071 00	751 00	2822 00	135	350 00		3520 00	677 47
Summit	1876	11	11	10	7	5	459	471	930	287	228	515	56	391	42	1309 00	936 00	2245 00	116	800 00	1873 00	2485 45	602 00
"	1877	11	11	13	9	7	506	487	993	354	339	693	69	435	47	1636 00	806 00	2442 00	117	725 00	1927 32	6096 00	644 98
Tooele	1876	12	5	6	4	4	363	417	780	221	221	442	57	308	39	70 00	163 00	234 00	161	345 55		8000 00	505 00
"	1877																						No report.
Utah	1876	16	14	39	29	24	2032	1978	4040	1249	1151	2400	59	2177	54	9913 70	3225 15	13138 85	162	6154 22	680 05	35450 00	2314 00
"	1877	16	16	37	33	24	2157	2051	4208	1601	1506	3107	74	1958	47	8031 00	2835 75	10866 75	148	4939 50	5104 15	57270 00	2733 15
Wasatch	1876	3	5	6	6	3	394	376	770	190	170	360	47	232	34	1636 00	75 00	1711 00	150	250 00	545 00	10300 00	499 00
"	1877	6	6	8	10	4	353	332	685	305	223	528	77	409	59	1380 00	170 00	1550 00	125	170 00	352 00	8570 00	444 92
Washington	1876	16	12	17	7	13	460	492	952	367	382	749	79	580	61	697 75	1479 00	2176 75	112	10953 07	2811 80	27546 92	616 00
"	1877	16	13	17	4	17	460	506	966	363	357	720	74	425	44	598 00	1809 00	2407 00	136	4284 35	4938 83	25321 00	627 44
Weber	1876	19	18	23	19	19	1481	1499	2980	1163	1003	2169	72	1300	44	6329 14	3854 73	10190 87	160	5257 50	3208 65	41172 00	1928 00
"	1877	19	18	21	21	14	1492	1384	2876	946	848	1794	62	1078	38	4384 80	1877 25	6232 05	139	2799 77	2014 65	39450 00	1868 01
Piute	1876																						Not
"	1877																						Organized
Total	1876	244	213	319	215	234	15618	15282	30900	10313	9573	19886	64	13608	44	56929 29	28797 38	85727 67	113	39941 12	18229 23	453516 22	20000 00
	1877	247	220	327	232	238	15802	14990	30792	10211	9568	19779	64	13420	43 5	50843 33	26208 10	77054 43	141	30717 26	30115 94	323202 89	20000 00

AVERAGE DURATION OF SCHOOLS, SALARIES OF TEACHERS, ETC., IN THE UNITED STATES AND TERRITORIES.

Table showing the average duration of Schools, annual expenditures, average salary of Teachers, and the estimated real value of all kinds of School property, in most of the States and Territories of the Union, from the Report of the Commissioner of Education, 1875–6.

STATES.	Term.	Annual Expenditures.	Average Salary of Teachers per Month.		Estimated real value of School Property.
			Males.	Females.	
Alabama	86.5 days.	$ 523,779	$ 27 20	$ 27 20	
Arkansas		750,000			355,000
California	149 "	2,701,863	84 93	68 01	5,068,678
Connecticut	176 "	1,552,583	70 05	37 35	
Delaware	140 "		28 00	28 00	
Florida	132 "	15,600	50 00	30 00	
Illinois		7,389,208	48 21	33 32	
Indiana	120 "	4,530,204	65 00	40 00	10,870 338
Iowa	136 "	4,605,749	36 68	28 33	8,617,956
Kansas	102 "	1,020,101	33 98	27 25	4,140,090
Kentucky	100 "	1,559,432	49 40	49 40	1,624,000
Louisiana		699,665	37 00	37 00	896 100
Maine	117 "	1,313,303	37 00	18 00	3,019,549
Maryland	187 "	1,641,047	41 73	41 73	
Massachusetts	177 "	7,000,000	88 37	35 35	20,856,777
Michigan	138 "	3,516,782	51 29	28 19	9,355,894
Minnesota	120 "	1,158,447	41 36	28 91	2,808,156
Mississippi	140 "	1,040,600	55 47	55 47	1,000,000
Missouri	99 "		38 00	29 50	6,771,163
Nebraska	96 "	928,188	38 60	33 10	1,848,239
Nevada		124,301	100 56	100 56	121,011
New Hampshire	100 "	742,854	42 51	25 44	2,258,000
New Jersey	194 "	2,340,985	67 65	37 75	6,287,267
New York	176 "	11,601,256			29,928,626
North Carolina	50 "	191,674	30 00	25 00	
Ohio	140 "	7,651,956	60 00	44 00	19,876,504
Oregon	105.5 "	5,125	51 45	45 50	350,000
Pennsylvania	151 "	9,363,927	41 07	34 09	24,260,789
Rhode Island	178 "	747,859	58 18	46 17	2,360,017
South Carolina	100 "	426,461	31 64	29 21	313,289
Tennessee	100 "	703,358	30 85	30 85	
Texas	78 "	726,236	53 00	53 00	
Vermont	111 "	625 057	45 62	25 65	1,339,864
Virginia	112 "	1,023,396	33 52	28 71	757,181
West Virginia	92.5 "	715,160	35 03	30 70	1,605,627
Wisconsin	149 "	2,014,157	43 50	27 13	4,979,169
TERRITORIES.					
Arizona	180 "	24,151	100 00	100 00	20,000
Colorado	116 "	218,313	60 00	48 00	474,008
Dakota	"	32,603	35 00	25 00	24,926
District of Columbia	191 "	66,579	113 00	75 00	1,114,162
Idaho			55 00	55 00	
Montana	92 "	67,147	65 00	57 00	60,000
New Mexico	132 "	18,890			
Utah	140 "	183,818	47 00	23 00	438,065
Washington	70 "	54,720			
Wyoming		16,400			32,500
Average	128 days.	$81,932,954			$173,833,545

Salt Lake City, January 1, 1878.

HON. JOHN TAYLOR,
TER. SUPT. OF DISTRICT SCHOOLS:

Dear Sir—In connection with your Report of the Schools of the Territory, I wish to make a statement in reference to some of the labors performed by the Ex-Territorial Superintendent, that are not required by our School Law, but which seemed to be expedient.

By request of the United States Commissioner of Education, I prepared a Historical Sketch of Education in Utah, to be compiled in the Commissioner's Report of the Centennial year.

I attended the Centennial Exposition at Philadelphia, where the one hundreth anniversary of the nation's independence was celebrated by the exhibition of the arts, manufactures and the products of the soil and mine. There was illustrated the unparalleled advancement in science and art, and all the various appliances of human ingenuity for the refinement and comfort of man, in contrast with the meager achievements of a century past.

In the Educational Department, the public and private School work, from that of the Kindergarten pupil to the senior student of the University, was on Exhibition. In this exhibit could be learned not only the degree of proficiency of the pupil in drawing, spelling, arithmetic, geometry, etc., but the manuscripts indicated the number of pupils attending the country and city Schools, and the manner in which they are conducted.

I attended the National Educational Association held in the Academy of Music, Baltimore, on the 10th, 11th and 12th days of July, 1876. At this Association, twen- six States and two Territories, *viz:* Arizona and Utah, were represented. The papers read, and the subjects discussed, made the Association one of the most interesting, instructive and beneficial character to the educator.

At the close of the Association, the International Congress assembled for a one day's session in the same

place, which afterwards held several sessions in Philadelphia.

The countries represented there were: Of America —The United States, Canada, Brazil and the Argentine Republic; of Europe—England, Lapland, Norway and Sweden; of Asia—China and Japan; the Sandwich Islands and Australia. The educational institutions and the systems of education of these various nations were explained before this Congress by their representatives.

After the adjournment of the Association, the teachers of the Public Schools of Baltimore tendered the convention an excursion to Fair Haven on the steamer *Matilda.* Fair Haven is about fifty miles down the Chesapeake Bay. On the return passage a business meeting of the Association was held in the cabin of the steamer, at which the following Resolution, with others, was adopted:

Resolved, That next to Liberty, Education has been the great cause of the marvelous prosperity of this Republic in the first century of its history, and it is the sure and only hope of its future. The highest concern and the grandest duty of the new century now opened, is the right education of every child born into American Liberty.

Respectfully,

O. H. RIGGS,

Ex-Ter. Supt. of District Schools.

REPORT

OF THE

CHANCELLOR OF THE UNIVERSITY OF DESERET.

To the Honorable,
The Legislative Assembly:

Gentlemen:—Herewith I have the honor to submit to you my Report, as Chancellor of the University of Deseret, for the period since your last Session in the year 1876.

DANIEL H. WELLS,
Chancellor of the University.

REPORT.

I am happy to report an increase in the prosperity and influence of this Institution, which promises an extended influence for good and our better acquaintance, as a people, with the highest and best type of education.

You will observe, in comparing this Report with the one made to your Honorable Body at its last Session, that the Department of Instruction is still in a flourishing condition, that the patronage is steadily increasing and that there is an encouraging advancement toward the useful branches of higher education. This is more significant and exhibits more strikingly the cultivation and improvement in the popular taste and acquiration, when it is known that the instruction in the University is based wholly upon an optional plan, the course of study prescribed being simply suggestive and the student left entirely free to select and pursue such branches only as may be dictated by his judgment and circumstances. That the School is

doing a valuable work in the elevation of the youth of our Territory, there can be no longer any question. Though the patronage from all parts of the Territory is encouraging, yet it is not to be taken as a certain criterion by which to determine the importance or full effect of the instruction imparted. When compared with the multitude of young men and women in the Territory, the number yearly attending the University is certainly small; but this comparatively small number, well qualified by instruction and proper training and disseminated abroad, act like multiplying germs in the diffusion of knowledge and the cultivation of refinement and taste. Already there may be found, in many parts of the country, students of this University holding positions of trust and influence, for which they have been better fitted by the knowledge and training they received in our State Institution. Even in the School itself, two of the teachers now employed were formerly its students, and are very successfully instructing in the higher branches. Knowledge and intellectual ability are potent elements in government and essential to the growth of true civilization and prosperity; and as our Territory increases in population and its great material resources become more developed, the value of this School will be better realized, and the good work it is now doing more highly appreciated. I am confident the instruction given at this School has been and is conducted upon a thoroughly practical basis. This will be seen by the character of studies composing different courses, as shown by the accompanying schedule in this Report, and is further demonstrated in the manner of imparting instruction by selecting that which is evident and real and devoting every agency of the Institution to the development of mental and moral powers in the student which shall result in the ability for independent thought, a sense of self-responsibility and habits of culture and refinement.

On the 15th of September, 1876, the School was removed from the building it had occupied since the year 1867, known as the Council House, to its present location in what has been called Union Academy. This building was remodelled, so as to adapt it to the purposes of the University, and is now in most respects, perhaps, better

suited to the wants of the School, though its location is not so central as that of the building last used.

While the propriety of purchasing grounds and erecting a building for the exclusive use of the University may be considered premature, by reason of the financial condition of the Territory, yet is it not a matter worthy the consideration of your Honorable Body, whether it would net be more economical finally to do so than to suffer the constant claim of rent.

The Normal Department, by its schedule, shows that the highest number in attendance for the last half of the acadamic years 1875-6 to be 37; that of the year 1876-7, 43, and that of the first half of the present year, 23. The small number enrolled for the first half of the present year would seem to indicate a falling off in the patronage. While this may be true to some extent, owing to a misapprehension of the condition of the School at the beginning of the year, occasioned through an unwarranted report, yet a more correct showing is made by the attendance at the present date, the beginning of the third term, which is 44, with the prospect of an increase before the year closes exceeding the highest yet enrolled. The importance of this Department cannot be too highly appreciated. Many of our Public Schools lack the efficiency they should possess through the want of competent teachers, and if we have no means to insure proficiency to instructors, or if those means already provided are not sufficiently supported and encouraged by patronage, how shall we expect any improvement in the Schools themselves? The fountain cannot, certainly, rise above its source.

The tuition of those students in this Department who have enjoyed the liberality of your Honorable Body since the last Report, at the regular rates, would amount to the sum of $3,840.00, or very nearly the amount of the appropriation made for the Institution; and I trust that your realization of the importance of this work, and the necessity for its encouragement will prompt you to continue to provide liberally therefor.

The Library still holds the relation of an important and useful auxiliary to the University, though inconvenient to the public by reason of its location so far from the

centre of business and resort; yet its patronage from the students alone is encouraging beyond expectation. During the twenty months that the school has been in session, since my last Report, there have been taken from the Library, and registered, mostly by students, 6131 volumes. The value of such a Library, and the teaching that will stimulate such patronage, are exemplified in these figures. The number of volumes now in the Library and catalogued is 2597. In this connection I would allude to the importance of the study of chemistry. This course of study extends through the entire academic year. The first half is devoted to the discussion of the general principles of the science, including inorganic and organic chemistry. The second, to that of practical analysis. The Laboratory for this purpose is remarkably well supplied with apparatus, so that analysis qualitative and quantitative, may be and are every year practically carried on by the students, as well as the assaying of metallic ores. With some additional apparatus for obtaining class analysis, that is necessary for general class work, the department can be made thoroughly efficient and valuable as a source from which at all times to obtain proficient and correct analytical experts.

The Cabinet of the Institution is very respectable in size, yet is not altogether what it should be to satisfy the wants of the school, having been to some extent neglected heretofore, owing to the convenient access the school has had to the Deseret Museum, a favor granted by the Curator, Professor J. L. Barfoot, to whom the Institution extends its acknowledgments and thanks in appreciation of this courtesy.

THE APPROPRIATION, ETC.

The Biennial Appropriation made by your Honorable Body will prove sufficient for all purposes when it can be realized at the Treasury.

Being unable to draw the money at the Territorial Treasury, which had been appropriated by your Honorable Body, at your last Session, and finding it impossible to negotiate the Warrants of the Auditor, either with the Faculty or elsewhere, without too great a discount, it was

thought best to borrow the money on the credit of the Territory, depositing the Warrants as collateral. In accordance with this necessity the money was borrowed from the Zion's Saving and Trust Company's Bank, and the Warrants deposited there as collateral. The interest which we are thereby compelled to pay amounts to $2,665.35, and lessens the amount of the appropriation to that extent. You will observe that in the list of expenses is an item of $21.60 discount on Scrip sold. This occurred on the sale of about $300 of Auditor's Warrants at an early day, before they fell so far below par; but it doubtless would have been better to have sold these Warrants, if it could have been done at the same rate, or even at a much lower rate, than to have paid so much interest, and the deficiency would have been less; but feeling a reluctance to discounting the Warrants, and presuming that the Legislative Assembly would prefer the other course, of paying interest, and would cheerfully provide for the deficiency by add ng the amount to your regular Appro priation of ten thousand dollars at the present Session for the ensuing two years, that course was taken. And, indeed, if Warrants had been sold as money was needed during the last two years, the discount would have far exceeded the interest paid. But the Legislature being now in Session, they will probably so regulate as to soon bring their paper up to par, after which no further loss need occur.

The instruments, as shown by the accompanying list, marked "A" although in the possession of the University and having been receipted for by Dr. Park, do not belong to the Institution; yet this is the best place to keep them, and their use in some classes is indispensible. I therefore recommend that they be purchased for its benefit.

In the Appropriation for the Normal School, it was conditioned that the Institution should receive forty students, furnish books, etc. At an early day the students in this department made a requisition on the University for text books, amounting to about seven hundred dollars, which I did not consider was contemplated by the Legislative Assembly, but only the free use of the Library, maps, charts, instruments, etc., belonging to the Institution. I agreed, however, that if the Legislature so under-

stood it, and would provide for it, of course that expense would be refunded to them.

There is, as per note, (see Report marked "B") a large amount of tuition fees uncollected, a portion of which will, doubtless, yet be made available; but it has been the policy of the Institution not to turn away students simply on account of their inability to pay, and it has had most of the time quite a number of benificiaries.

The University Lands, for the want of proper legislation, and the certificates of which not being in the possession of the Chancellor and Board of Regents of the University remain, as heretofore, wholly unavailable to the Institution, although I am informed that some portions of them are being improved and cultivated. I consider that the Legislative Assembly have the right to turn these lands over to the University as fast as located, though, of course, the titles, or patents, must finally come from the General Government.

The Financial Report, marked "B," and the Property Report, marked "C," also accompany this Report. The attention of your Honorable Body is also respectfully directed to the Tabular Statement made by the Principal of the University, Dr. John R. Park, as showing the flourishing condition of the Institution, which must be most gratifying to all who are engaged in the educational interest of our growing State. All of which is respectfully submitted.

LIST "A."

1 Telescope,
1 Microscope,
1 Pair Large Scales,
1 Pair Small Scales,
1 Theodolite,
1 Circle,
4 Sextants,
3 Hydrometers,
1 Box Chemicals,
1 Barometer,
1 Solar Microscope.

LIST "B."

FINANCIAL REPORT.

Statement showing Receipts and Disbursements for the two (2) years, commencing January 19th, 1876, to January 19th, 1878; also the present financial condition of the Institution.

To amount received on Tuition	$5,921.05	
" Territorial Appropriation for 1876	5,000.00	
" Territorial Appropriation for 1877	5,000.00	
		$15,921.00

CONTRA CREDIT.

By amount paid Faculty on account of Salary, as follows:			
Dr. J. R. Park	$3,061.35		
Prof. F. M. Bishop	2,337.35		
Prof. J B. Toronto	819.50	$6,218.20	
" amount paid Secretary on account of Salary		590.00	
" amount paid Janitor in full for services rendered		875.00	
" General Expenses, as per List		4,922.97	12,606.17
Balance against University			$3,314.88
To Liabilities, as follow:			
Dr. J. R. Park		$1,618.65	
Prof. F. M. Bishop		12.65	
Prof. J. B. Toronto		2,130.50	
Secretary		150.00	
Trustee-in-Trust (balance of amount due for repairing Union Academy)		377.38	
Zion's Savings Bank (principal,)	$8,497.60		
Zion's Savings Bank (balance of interest)	1,207.00	9,704.60	$13,993.73

CONTRA CREDIT.

By amount of Territorial Scrip in Bank (which includes the above balance of $3,314.88), held as collateral security against note indebtedness of $9,704.60.....	13,425.00
Balance of Liability.....	$568.78

NOTE.—There is due the University on Tuition $2,083, considerable of which is "hard" indebtedness.

EXPENSE LIST.

To Interest paid Bank on money borrrowed..	$2,665 35
" Coal.....	231 00
" Gas.....	102 80
" White-washing, Plastering and Glazing Council House and Union Academy	326 67
" Collecting "hard" Accounts.....	35 50
" Printing Catalogues, Circulars, Receipts, Bill-heads, Cards, etc.....	161 90
" Postage.....	9 50
" Chemicals for Laboratory.....	18 10
" Wood.....	21 00
" Advertising.....	17 30
" Petty Expenses, for school purposes, by Dr. Park.....	246 40
" Rent for Union Academy, 20 months, @ $ 50.00.....	1,000 00
" Discount on Scrip sold.....	31 60
" School Act.....	5 00
" Gravel, and spreading.....	9 00
" Books from Washington, D. C.....	5 00
" Freight on ditto.....	5 40
" "Omaha Bee".....	3 30
" Loss on Hay, paid Bishop.....	3 05
" Water Buckets.....	2 10

" Centennial Map	8 75
" Cleaning Vaults	6 75
" New Set of Books	7 50
	$4,922 97

LIST "C."

Red Room:—1 globe, 1 set tin measures, 1 map of United States, 1 set anatomical charts, 1 wash-stand, bowl, bucket and looking-glass, 1 waiter, 1 seal press "University of Deseret," 1 pulley and collar apparatus, carpet (new).

Dr. Park's Office:—1 stove, pipe and zinc, 6 chairs, 1 desk, 1 secretary, 1 spittoon, 1 paper basket, 1 mat and carpet.

Study Room:—1 black-board, 1 "solar system", 1 clock, 1 large set Guyot's wall maps, 1 map of United States, 54 desks, 2 chairs, 1 teacher's desk, 1 Webster's dictionary, 1 Worcester's dictionary (both unabridged), 1 large stove, piping and scuttle.

Laboratory:—1 arm chair, 1 scuttle, 1 furnace, 1 black-board, chemicals and laboratory apparatus.

Room B (Toronto's):—1 black board, 1 stove, piping and scuttle, clock, 1 set of Tennay's natural historical tables, 1 set of Johnson's natural philosophical charts, 1 large Centennial map of the United States, 1 pneumatic trough (large), 1 small ditto, 2 tables, 1 scuttle, 3 benches (backs), 2 ditto (without backs), 1 set of drawers.

Museum:—Cabinet and contents, marked "Library and Cabinet", 1 large cabinet case, animals and birds, etc., 1 bench (with back), banners, 1 cabinet and case, shelves, 1 propagator, and factory curtains.

Reading Room:—2 black-boards, 1 stove, piping and scuttle, 1 clock, 6 benches [with backs], 1 ditto [without], 1 desk, 7 good chairs, 3 tables, 2 large globes, book shelves, 1 step-ladder, 1 historical chart.

Cellar:—2 doors, 1 library fence.

Library:—524 volumes.

REPORT OF THE NUMBER OF STUDENTS attending the University of Deseret during the Second Semester of the Academic Year 1875-6, during the Year 1876-7, and the First Semester of the Year 1877-8, together with the number in each Branch of Study.

YEAR 1875-6. SECOND SEMESTER.

BRANCHES OF STUDY AND NUMBER IN EACH BRANCH.

ATTENDANCE DURING THE TERMS OF THE YEAR.	Males.	Females.	Total.	Reading and Elocution.	Arithmetic.	Orthography and Punctuation.	Grammar.	Geography.	Differential Calculus.	Geometry	Modern History.	Rhetoric.	Virgil	Cæsar.	Analytical Chemistry.	Civil Government.	Botany.	Geology.	Mineralogy.	U. S. History.	Penmanship.	Theory and Practice of Teaching.
Third Term,	96	82	178	131	129	99	95	61		16	7	70	8	3	8	54	6	14			8	32
Fourth Term,	56	58	114	86	88	53	62	60		13		36	3	3	4	40	4		6	38	55	37
Total for the Semester,	100	84	184																			

YEAR 1876-7.

BRANCHES OF STUDY AND NUMBER IN EACH BRANCH.

ATTENDANCE DURING EACH TERM OF THE YEAR.	Males.	Females.	Total.	Reading.	Grammar.	Arithmetic.	Geography.	Orthography and Penmanship.	Ancient History.	Mediæval History.	Modern History.	U. S. History.	Civil Government	Natural Philosophy.	Astronomy.	Zoology.	Inorganic Chemistry.	Organic Chemistry.	Practical Chemistry.	Algebra.	Geometry.	Introductory Latin	Sallust.	Physiology.	Cicero.	Rhetoric.	Botany.	Political Economy.	Book-keeping.	Geology.	Trigonometry and Surveying.	Cæsar	Virgil.	English Literature.	Mental Philosophy.	Theory and Practice of Teaching.	Penmanship.	Mineralogy.
First Term,	53	44	97	65	69	23	52	46	10				47	8	12	45	4			14	8	3	3													33		
Second Term,	65	48	113	79	77	40	65	51		13			41	7	11			4		17	11	3		51	2											33		
Third Term,	80	67	156	68	94	112	28	119			17								7	13						72	13	30	90	9	10	3	2			43	115	
Fourth Term,	60	56	116	46	69	88	15	87				48							4	9							12		62		5	1	2	48	31	43	95	7
Total for the Year,	103	85	188																																			

YEAR 1877-8. FIRST SEMESTER.

ATTENDANCE DURING EACH TERM.	Males.	Females.	Total.	Reading.	Grammar.	Arithmetic.	Geography.	Zoology.	Algebra.	Orthography and Penmanship.	Natural Philosophy.	Geometry.	Astronomy.	Civil Government	General Chemistry.	Latin.	Physiology.	Theory and Practice of Teaching.
First Term,	55	57	112	82	87	74	76	16	14	65	22	9	9	6	10	3		21
Second Term,	67	72	139	106	113	103	102		10	91	19	7	8		8	3	51	23
Total for the Semester,	74	75	149															

REPORT

OF THE

UTAH PENITENTIARY.

HON. O. PRATT,
SPEAKER OF HOUSE OF REPRESENTATIVES:

Dear Sir—I have the honor to submit for the consideration of the Honorable Body over which you preside, the Reports of Warden Rockwood on Penitentiary matters for 1876 and 1877.

Very respectfully

Your obedient servant,

WM. CLAYTON,
Auditor of Public Accounts.

Salt Lake City, 16th January, 1878.

To the Governor and Legislative Assembly of the Territory of Utah:

The undersigned, Directors of the Penitentiary of the Territory of Utah, respectfully report that on the 31st day of December, A. D. 1877, the Hon. Albert P. Rockwood, Warden, reported to the Directors the condition of the Penitentiary, so far as the existing legislation would permit. This Report, the undersigned now report to your Honorable Bodies.

There was, as your Honors must well understand, an Act of Congress passed on the 10th day of January, 1871, found in the Compiled laws of Utah, pp. 44 and 45, Sections 1892, 1893, 1894 and 1895, greatly modify-

ing the duties of the undersigned. They perceive by the Message of His Excellency to the Council and House of Representatives, that the attention of the Council and House of Representatives has been called to this subject.

The Directors beg leave to suggest, that at the last Session of the Legislature they recommended the appointment of a committee to examine for and report to the Legislature, a suitable site for a Territorial Penitentiary. They now make the same suggestion. In the opinion of the Directors, the Act of Congress passed subsequent to the passage of the Acts of Utah, has very much complicated the affairs of this Department.

All of which they respectfully submit,

FREDERICK KESLER,
REUBEN MILLER,
MYRON TANNER,
Directors of the Utah Penitentiary.

January 16, 1878.

Warden's Office,
Salt Lake City, Dec. 31, 1877.

Hons. Frederick Kesler, Reuben Miller, and Myron Tanner, Directors of Utah Penitentiary:

Gentlemen—I herewith submit a Report as contemplated by law, of the receipts and expenditures in the Warden's Department of the Utah Penitentiary, for the years ending Nov. 30th, 1876 and 1877. Also a geneneral statement of facts, that may aid you in making your Report to the Legislative Assembly.

First. I submit an extract from a report made to the Auditor of Public Accounts, of the Receipts and Expenditures for the year ending Nov. 30th, 1876.

RECEIPTS.

Amount received in Drafts on the Treasurer.	$1,600 00
" " for Property sold.....	10 00
	$1,610 00

EXPENDITURES.

Aggregate amount paid out, as per voucher deposited with the Auditor.....	$1,232 90
Amount paid on outstanding debt.....	62 66
Total outlay....	$1,295 56
Auditor's Warrants on the Treasurer on hand.	314 44
Balance.....	$1,610 00

Second. Receipts and Disbursements for the year 1877:

Amount received in draft on the Treasurer.	$1,300 00
" " for Property sold.....	3 50
" of Drafts on hand, as above reported.....	314 44
Total.....	$1,617 94

DISBURSEMENT.

Amount paid out, as per voucher deposited with the Auditor.....	$1,362 00
Amount of Auditor's Warrants on Treasurer on hand.....	255 94
Balance.	$1,617 94
Outstanding Debts against the Institution....	251 50
Amount of Property on hand, as per invoice deposited with the Auditor.....	$2,085 00

My last Report, dated December 1, 1875, shows, that there was then in custody two Territorial Convicts,

to wit: Thomas Purdy, committed Oct. 17th, 1872, for the crime of murder in the second degree; term of sentence twenty years. Neils Peter Neilson, committed Oct. 17th, 1872, for the crime of murder in the second degree, for the term of twenty years. Each of them remained in custody until some time in June, 1877, when on an order from the Judge of the Third District Court, to me directed, I delivered each of them to U. S. Marshal Nelson, who represented that they would be conveyed to the U. S. Penitentiary in Salt Lake county, and that there the remainder of the sentence would be executed; since that time I have had no convicts in custody.

Soon after delivering the above named convicts, Marshal Nelson demanded the possession of all the property in my custody, belonging to the Territorial government of Utah. To this demand I answered, that the law required me to deliver to my successor in office, and I should retain it until there was one appointed.

He then petitioned the Judge of the Third Judicial District Court, for an order, requiring me to deliver it to Marshal Nelson, which was served on me in due time; to this I demurred, and took an appeal, and thus the matter now stands.

The Hon. Z. Snow, Attorney-General for the Territory, has the case in charge.

On or about the first of November, Marshal Nelson requested the loan of the iron cells and some other property in my custody as Warden, for the safe keeping of the convicts in his custody.

Considering that the public were interested in the safe keeping of convicts in his custody, and knowing that the cells could materially aid him in so doing, I laid the subject before the Auditor of Public Accounts, whose duty it is to see that the public property is properly cared for; he made no objection to the loan, hence I granted the request, and herewith submit a copy of the receipt.

Salt Lake City, Nov. 3, 1877.

Received, as a loan of A. P. Rockwood, for the security or use of the convicts committed to the U. S. Penitentiary

n the Territory of Utah, the following named articles, to wit:

Five iron cells, one block ditto, three shackles, each with chain and slug; two iron wheelbarrows, they being the property of the Territorial Government of Utah, in the custody of said Rockwood, and subject to direction of the Legislative Assembly of said Territory. All of said articles I agree to return in the like good order and condition, to him, on ten days' notice, at any point he may designate, within one mile of Salt Lake County Court House.

WM. NELSON,
U, S. Marshal,

Attest:
A. P. ROCKWOOD.

I respectfully suggest, that you recommend to the Legislative Assebly, that they pass an Act suspending the operation of so much of an Act entitled, An Act pertaining to the Penitentiary, approved Jan. 20, 1860, as pertains to the Election of Officers of the Institution for two years; and, until revived by Legislative enactment. Also to provide for the sale, or otherwise disposing of the property in the custody of the Warden, and provide suitable legislation or instruction in relation to the suit above referred to.

If any further information or explanation is ncessary, to give you a more perfect understanping, the books, papers, and my services are at your command

Respectfully submitted,

A. P. ROCKWOOD,
Warden of Utah Penitentiary.

Warden's Office,
Salt Lake City, Dec. 1, 1876.

Hon. Wm. Clayton,
Auditor of Public Accounts for the Territory of Utah.

I herewith submit a Report, as contemplated by law, of the Expenses and Receipts of the Utah Penitentiary:

from the 30th day of November, 1875, to the first day of December, 1876.

EXPENDITURES.

Amount paid W. J. Hooper, as per voucher	1,	$ 3	15
" " Charles Lutz "	2,	10	50
" " M. P. Rockwood "	3,	2	50
" " H. E. Phelps "	4,	16	75
" " A. P. Rockwood "	5,	1,200	00
Total Expenses.....		$1,232	90
Amo. nt paid A. P. Rockwood, on an outstanding debt, as reported in last Report....		62	66
Total outlay.....		$1,295	56
I have now on hand, Drafts on the Treasurer from your Honor, to the amount of.....		314	44
Total Amount to be accounted for...		$1,610	00

RECEIPTS.

Amount Received in Drafts on the Treasurer, by your Honor.....	$1,600	00
Amout received of L. W. Hardy, for 2 pair of blankets sold him.....	10	00
Total Receipts.....	$1,600	10

I have only two convicts on hand, both of which are and have been hired out for the consideration of their board and guard service, except what I have done personally with a little assistance iu my absence, whch is not charged to the Institution.

The debt due from the Deseret Agricultural and Manufacturing Society, $2,086, has been cancelled by virtue of a resolution passed the Legislative Assembly at its last Session.

Appended is an invoice of the property belonging to the Institution December 1, 1876.

If any further information or explanation is necessary, the books, papers and my services are at your command.

Respectfully submitted by

A. P. ROCKWOOD,
Warden of Utah Penitentiary.

INVOICE OF PROPERTY.

On hand, belonging to the Penitenitentiary, December 1, 1876.

1 shot gun 5.00, 1 pistol 6.00, 1 pr. shackles 3.00	$ 14 00
1 pr lock shackles 5 00, 1 pr. hand cuffs 2.00. .	7 00
2 " common " 3.00, 3 flour boxes 1.00.	4 00
Table 2.00, 1 box stove 4.00, 1 do cylinder 3 00	9 00
10 joints pipe 3.00, shoe punch 1.00	4 00
Brass kettle 3.00, stove pot 1.00, syringe 1.00	5 00
Brace and bits 2.25, jointer 1.00, try square .50	3 75
Bevel square .50, patent shackle 30.00	30 50
3 picks 4.50, mattocks 1.50, crow bar 2.00. .	8 00
Sledge 2.00, crimping irons 1.00, last knife 2.00	5 00
2 set brick molds 2.00, adobe molds 1.00. . . .	3 00
Forceps 1.00, 1 set fullers 2.50, set haummer .50	4 00
Header 1.50, tub wrench .50, vise 4.00. . . .	6 00
4 pr. tongs 4.00, punch 1.50, eye pin .50 .	6 00
Screw plate 5.00, hammer 1.00, old iron 2.50	8 50
Sash plane 2.00, moulding do. 2.00, plane .50	4 50
Moulding plane 1.00, cross-cut saw 5.00. . .	6 00
2 hand saws 2.00, turning lathe 20.00 . . .	22 00
Chisels and gouges 8.00, 2 axes 2.00	10 00
Buck saw 1.00, 1¼ inch augurs 2.20, hammer .50	3 70
Churn drill 2.00, chisel .50, 2 spades 2.00	4 50
Hand hammer .50, 5 iron wheel barrows 80.00,	80 50
Adze 2.00, grubbing hoe 1.00	3 00
Riveting hammer 1.00, 2 wagon covers 10.00,	11 00

5 double beds 10.00, 2 double mattrasses 8.00,	18 00
7 single mattrasses 10.00, 1 single ditto 2.00 . .	12 00
Cook stove 40., steelyards 4., 23 joint pipe 11.50	55 50
Lamp 1.00, washing machine 10., plank cell 100.	111 00
5 iron cells 1,360.00, 9 shackles and chains 45.	1405 00
3 sets knives and forks 3.00, 3 doz spoons .80	3 80
1 doz cups and saucers .75, ½ doz plates .70	1 45
2 doz tin dishes 6 00, 1 esnip 1 00	7 00
½ doz tin pans 3.00, 1 brass kettle 2.00 . .	5 00
½ doz cups 50, 2 bowls .50, chopping knife .50	1 50
Meat hooks 1.50, jail locks 10.00, bed stead 2.	13 50
Flour boxes 1., well bucket 2., 2 brass locks 2.	5 00
10 jail locks 5.00, 2 cupboard do 2., 4 picks 4.	11 00
2 oil cans 2.00, tea pot .50	50
12 striped shirts and pants 12.50, 5 blankets 15.75	28 25
2 under beds at County Jail 2., 7 wool coats 35.	37 00
4 wash tubs 4 00, 5 striped shirts 10, trowel 1.	15 00
1 gauge 1.00, 11 wool coats 60.00, 4 pr pants 20.	81 00
10 yds striped linsey 11.00, 2 pr boots 6.00 . .	17 00
1 clock 5.00, 1 map of Utah 10.00	15 00
Total	$2,115 55

On hand Dec. 1, 1876.

A. P. ROCKWOOD,
Warden.

Warden's Office,
Utah Penitentiary, Dec. 1, 1877.

Hon. Wm. Clayton, Auditor of Public Accounts:

I herewith submit a Report as contemplated by law, of the Expenditures and Receipts of the Institution, from the 30th day of November, 1876, to the first day of December. 1877.

Amount paid for Rent, as per voucher No. 1, $ 160 00
" " " Warden and Guard service,

as per voucher No 2, - - -	1,202 00
Total.....	$1,362 00
Now on hand in Warrants on the Treasurer,	255 94
Balance.....	$1,617 94

RECEIPTS.

Received Draft on the Treasury for - -	$1,300 00
" for a bedstead sold - - -	3 50
Balance on hand, as per last Report Dec. 1, '76	314 44
Balance.....	$1,617 94
Outstanding Debts against the Institution at this date, - - - - -	$251 50

At present I have no convicts on hand; my last Report showed that I had then two convicts in custody, they so remained until a few weeks since, when by order of the Third District Court, to me addressed, I delivered them to the U. S. Marshal Nelson. While in my custody they were hired out as stated in my last Report.

Soon after the delivery of said convicts above referred to, said Court issued an order for me to deliver to the U. S. Marshal, all the property in my custody belonging to the Territorial Government of Utah. In answer to this order, I plead, that the law required me to deliver it to my successor in office; hence I declined to obey the order and took an appeal; and thus the case now stands.

Soon after this, Marshal Nelson petitioned me for the loan of the iron cells, calabooses, and some other property for the safe keeping of the convicts in his custody. I considered the public were interested in the safe keeping of his convicts, and knowing that the cells would materially aid him in keeping them safe, I loaned them—a copy of his receipt is herewith submitted,

Salt Lake City, Nov. 3, 1877.

Received, as a loan, of A. P. Rockwood, for the security or use of the convicts committed to the United

States Penitentiary, in the Territory of Utah, the following articles, to wit:

Five iron cells, one block do., three shackles, each with a chain and slug, two iron wheelbarrows, they being the property of the Territorial Government of Utah, in the custody of said Rockwood, and subject to the direction of the Legislative Assembly of said Territory; all of said articles I agree to return in the like good order and condition to him, on ten days' notice, at any point he may designate, within one mile of Salt Lake County Court House.

WILLIAM NELSON,
U. S. Marshal.

[A true copy.]

A. P. ROCKWOOD. Attest.

The remainder of the property of the Territory, in my custody, is in my store room in Salt Lake City. The clothing and bedding for the convicts in custody, was taken from the stock on hand, which accounts for there being less in amount than in my last Report. Enclosed is an invoice of the property on hand.

If any further information or explanation is necessary, the books, papers, and my services are at your command.

Respectfully submitted by

A. P. ROCKWOOD,
Warden.

INVOICE OF PROPERTY.

On hand, belonging to the Territorial Government of Utah, in the custody of A. P. Rockwood as Warden of Utah Penitentiary, Decenmber 1, 1877.

5 iron cells 1,360.00, 1 plank cell 140.00	$1,500 00
10 shackles 40.00, 4 wheelbarrows 64.00	104 00
Brace and bits 2.25, Jointer 1.00, try square .50	3 75
Bevel square .50, 3 picks 4.50, 1 mattock 1.50	6 50
Crowbar 2.00, crimping iron 1.00	3 00

Last-knife 2.00, brick mould 2.00, adobe do 1.00	5 00
Set fullers 2.50, set hammer .50, header 1.50	4 50
Top wrench 1.50, vise 4.00, 4 pair tongs 4.00	9 50
Eye pin .50, screw plate 5.00, old iron 2.50 . .	8 00
Sash plane 2.00, match plane 2.00	4 00
Moulding plane 1.00, saw 5.00, hand do 300.	9 00
Turning lathe 20.00, gouges and chisels 8.00	28 00
2 boxes 2.00, buck saw 1 00. drills 2.00	5 00
2 spades 2.00, riveting hammer 1.00, trowel 1.00	4 00
Gauge 1.00, meat saw 1.50, bell 1.00 . .	3 50
Shot gun 5.00, 4 riveting shackles 12.00	17 00
Lock shackles 2.00, handcuffs 2.00, 3 boxes 9.00	13 00
Table 1.00, secretary 35.00, congress chair 1.00	37 00
Box stove 4.00, cylinder stove 3.00 . . .	7 00
10 joints of pipe 3.00, stove pot 1.00 . .	4 00
Cooking stove 40.00, steelyard 4.00, lamp 1.00	45 00
Wash'g machine 10.00, knives, forks, spoons 3.00	13 00
Crockery .75, knife 1.00, brass kettle 6.00	7 75
Chopping knife .50, meat hooks 1.50 . .	2 00
4 jail locks 10.00, 2 padlocks 1.00 . . .	11 00
Chest lock .50, brass lock .50, oil cans 2.00	3 00
Tea pot .50 mat 10., clock 5., 5 double beds 10	25 50
Single beds 5.00, mattres 5.00, lantern 1 00	11 00
Well bucket 2.00 11 second-hand shirts 11.00	13 00
16 second-hand pants 16.00, 17 blouses 102.00	118 00
2 pr pants 10.00, 5 pr second hand shoes 5.00	15 00
11 yds linsey 11.00, 2 pr blankets 4.00	15 00
Patent shackles at County Court House 30.00	30 00
Total	$2,085 00

COUNTY FINANCIAL REPORTS

FOR THE

YEARS 1876 AND 1877.

FINANCIAL REPORT OF BEAVER COUNTY,

For the Year ending June 1, 1876.

June 3, 1875. By balance due, per Account rendered for year 1875	$1578 19

TOTAL RECEIPTS FOR THE YEAR.

By Credit for Annual County Tax.....	2201 13
" Credit for Amount of Fines collected	35 00
" Credit for Amount of Licenses collected.....	60 00
	$3874 32

TOTAL DISBURSEMENTS FOR THE YEAR.

To Assessor and Collector per centum	$ 264 13
" County Treasurer " "	41 96
" Disbursed to Selectmen..... . .	63 65
" " Miscellaneous.	351 60

To Disbursed	to County Clerk.....	267 65
" "	Witnesses' Fees.....	1 20
" "	Jurors' Fees.....	30 60
" "	Election purposes....	18 75
" "	Coroner's Fees.....	19 00
" "	Justices and Constables	37 85
" "	Sheriffs' Fees.....	271 10
" "	Bridges and Roads....	34 73
" "	Poor and Insane.....	109 68
" "	County Court House..	123 00
" "	Prosecuting Attorney..	174 33
" "	County Judge.....	19 34

June 1, 1876.
To Balance to Credit in new Account.. 2045 75

$3874 32 $3874 32

June 1, 1876.
By balance due per account rendered from 1876. ..... 2045 75

I hereby certify that the Financial Report of Beaver County, ending June 1, 1876, is correct.

Signed, WM. FOTHERINGHAM,
County Clerk.

Jan. 2, 1878.

For the Year ending June 1, 1877.

June 3, 1876.
By Balance due from the Report of 1876. ..... $2045 74

TOTAL RECEIPTS FOR THE YEAR.

By Credit for Annual County Tax.....	2372 70
" " " County Licenses.....	10 00
	$4428 44

TOTAL DISBURSEMENTS FOR THE YEAR.

To Assessor and Collector's per cent.	$ 237 27
" Treasurer's " "	59 66
" Taxes remitted to widows and poor	33 20
" " " in favor of Assessor and Collector for 1875	50 45
" Disbursed to Prosecuting Attorney for County	96 00
" Disbursed to Selectmen	78 00
" " Justices and Constables	180 00
" " Sheriff	296 51
" " Witnesses Fees	3 60
" " Poor and Insane	94 15
" " Roads and Bridges	17 00
" " County Clerk	150 00
" " Water Superintendent	51 00
" " County Judge	16 34
" " County Elections	59 70
" " Miscellaneous	97 75
" " Jail lot	400 00
" " School Superintendent for County	25 00
" Disbursed to Office Rent for County Recorder	96 00
" Disbursed to Territorial Statutes	50 00
" " Court House	521 49
June 1, 1877. To Balance to Credit in new Account	1815 32
	$4428 44 $4428 44

June 3, 1877.
By balance due, per account rendered $815 32,

I hereby certify that the Financial Report of Beaver County, ending June 1, 1877, is correct.

Signed, WM. FOTHERINGHAM,
County Clerk.

Jan. 2, 1878.

FINANCIAL REPORT OF BOX ELDER COUNTY,

For the Year ending June 1, 1876.

RECEIPTS.

To Amount received on Taxes collected	$11505 17	
" Amount received on Licenses	110 00	
" " " Sheriff's acc.	37 00	
" " " Poundkeeper's "	77 39	
Total Receipts		$11729 56

DISBURSEMENTS.

By County Orders issued on account of Roads, Bridges, etc.,	$2876 50
" County Orders issued for Building Estray Pounds	161 35
" County Orders issued for Judges and Clerks of Elections and Expenses	85 00
" County Orders issued on account of Insane Persons and Paupers	179 18
" County Orders issued on account of Criminal Prosecutions	88 40
" County Orders issued to Assessor and Collector	750 00
" County Orders issued to Judge for services	300 00
" County Orders issued to County Clerk	600 00
" County Orders issued to Selectmen	55 20
" County Orders issued to County Treasurer	75 00
" County Orders issued to Sheriff Expenses	10 00

" County Orders issued to Coroner on Inquests.....	30 00	
" County Orders issued to County Surveyor	41 00	
" County Orders issued to Road Commissioner	53 00	
" County Orders issued to Superintendent Common Schools...	50 00	
" County Orders issued for Stationery, Wood, etc.,.....	98 06	
To Amount received of Poundkeeper credited to Common Schools..	77 39	
		$ 5530 08
Amount due on County Orders unredeemed June 1, 1875.....		8175 00
Total Liabilities for the Year		$13705 08
Less Receipts		11729 56
Balance Indebtedness		$ 1975 52

J. C. WRIGHT,
County Clerk.

For the Year ending the first Monday in June, 1877.

RECEIPTS.

To Amount received on Taxes...	$11019 50	
" " " " Licenses.	40 00	
" " " " Sale of Estrays.	350 00	
" Amount received on School Taxes and Ter. Appropriation	1610 10	
" Amount received from Sheriff	26 00	
Total Receipts.....		$13045 60

DISBURSEMENTS.

By County Orders issued on account of Roads and Bridges	$9167 22	
" County Orders issued on account of Canals and Ditches	1121 00	
" County Orders issued on accouut of Criminal Expenses	365 50	
" County Orders issued for Stationery and Law Books	134 10	
" County Orders issuedon account of Election Expenses	157 50	
" County Orders issued on account of Insane Persons	24 50	
" County Orders issued on account of Repairs on Court House	173 45	
" County Orders issued on account of Fuel for Office	33 00	
" County Orders issued on account of Expenses on Estray Pound	7 85	
" County Orders issued to Assessor and Collector's services	750 00	
" County Orders issued to County Clerk's services	600 00	
" County Orders issued to Judge's services	300 00	
" County Orders issued to Selectmen's services	52 00	
" County Orders issued to Treasurer's services	75 00	
" County Order issued to Superintendent of Schools	50 00	
" County Orders issued to Prosecuting Attorney's services	16 00	
" County Orders issued to Coroner	13 75	
" " " outstanding June, 1876	1975 52	
" Amount credited to Common Schools	1730 17	
Total Amount		$16740 56

Total Disbursement brought forward		$16740 56
By County Orders issued, less Receipts		13045 60
Leaving County Orders issued unredeemed.		$ 3694 96
To Amount debtor to School Fund, accounts, as per Territorial Appropriations and Sale of Estrays	$1807 17	
By Amount disbursed on Superintendent's Orders.....	598 89	
Balance School Money on hand.....	$1208 28	

J. C. WRIGHT,
County Clerk.

FINANCIAL REPORT OF CACHE COUNTY,

For the Year ending June 1, 1876.

1875.			
June 7,	App. to	John Theurer, Supervisor...	$ 50 00
"	"	P. Cranney, "	13 00
"	"	John Althem, Taxes.....	3 85
"	"	Cub River Road.....	231 00
"	"	James H. Martinau, Surveyor	153 00
"	"	C. O. Cord, Road Commiss'r	9 00
"	"	James Hobb.....	35 50
"	"	John M. Hanson's Taxes.....	7 00
July 17,	"	Gov. Axtell's visit (expenses)	44 00
"	"	James H. Martinau, Surveyor	65 00
Sept. 14,	"	W. Hewitt's Taxes	8 00
"	"	Election Expenses	160 00

Sept. 14,	App. to	C. O. Cord, Road Commiss'r	5 00
"	"	C. Funk, Planking.....	8 75
"	"	P. Cranney, extra services as Deputy Sheriff.....	62 00
Sept. 22,	"	Assessing and Collecting Taxes, @ 12 per cent....	982 80
Dec. 6,	"	James Dragsted (Insane)....	173 75
"	"	Telegraph account.....	14 00
"	"	John Scott, Planking.....	9 00
"	"	Hans Andersen, "	26 36
"	"	T. X. Smith, "	20 00
"	"	P. Cranney. Supervisor....	1 25
"	"	A. S. Patterson reporting Ricks' trial.....	35 00
"	"	Z. Snow, Att'y Ricks' trial	75 00
"	"	P. Cranney, Supervisor....	20 00
"	"	A. C. Brower, opening road	10 00
"	"	Officers' Salaries.....	1300 00
"	"	C. W. Cord, Mendon Bridge	3 36
"	"	Stationery for Office.....	14 95
"	"	Balance, Dragsted's expenses	37 40
"	"	Telegraph account.....	4 35
"	"	Taxes remitted.....	89 10
"	"	Scrip paid Ricks' case.....	462 32
"	"	Cash " "	1217 38
"	"	James Dragsted, orig. exp...	65 00
1876.	App. to	Incidental exp., as per bill...	279 73
"	"	Amount over App., 1875....	300 25¼
"	"	Bear River Bridge.....	682 07
Amount not appropriated.....			1711 82¾
			$8390 00
By County Tax for the year 1875.....			8390 00

Respectfully submitted,

JAMES O. CUSHMAN,
County Clerk.

Territory of Utah,
County of Cache, } ss.

I hereby certify the foregoing to be a correct copy of the Financial Report of Cache County, for the fiscal year ending June 1, 1876, as taken from the original now on file in my office.

JAMES T. HAMMOND,
County Clerk.

For the Year ending June 1, 1877.

1876.

June 5,	To App. for W. Hill (Insane).....	$ 59	00
"	" Inquest on body of Mrs. Wiseman.....	13	50
"	" J. H. M., County Surveyor	208	50
Sept. 4,	" Roads and Bridges.....	250	29
"	" Criminal casesbeforeJustice	107	75
"	" Election exp.Aug.and Nov.	212	80
"	" Expenses Rick's trial.....	547	30
"	" Delinquent Taxes remitted	273	05
"	" Salary of County Officers	1509	00
"	" to Redeem note and pay accounts.....	78	20
	" for William Hill (Insane)..	183	55
"	" Members to Legislature..	300	00
Nov. 5,	" Jurors before3d Dist. Court	60	20
"	" Inquest on one body.....	12	75
"	" Roads and Bridges.....	27	50
"	" Criminal casesbeforeJustice	61	50
"	" Insane and Poor Persons	179	00
"	" Real Estate purchase....	2066	00
"	" Jail.....	308	27½
"	" High School.....	200	00

Nov. 5, to App. for J. H. M., County Surveyor	60	00
" " Compiled Laws of Utah for Officers.....	71	00
" " U. N. R. R. Taxes remitted for 1875 and 1876....	1695	00
" " to Pay account of C. Heyer	10	00
" " for Assess'g and Collect'g etc.	1172	12
" " Incidental exp. current year	293	78
Total expenditures....	$9960	06½

June 1, 1876.		
By Balance in Treasury.....	$ 1711	82¾
" Taxes for the year 1876.....	8854	99
Total Receipts.....	$10566	81¾
To Balance.....	$ 606	75¼
June 1, 1877.		
By Balance in Treasury.....	$606	75¼

Respectfully submitted to the June Term of the County Court.

JAMES T. HAMMOND,
County Clerk.

Territory of Utah, }
County of Cache, } ss.

I hereby certify the foregoing to be a correct copy of the Financial Report of Cache County, for the fiscal year ending June 1, 1877, as taken by me from the original now on file in my office.

JAMES T. HAMMOND,
County Clerk.

FINANCIAL REPORT OF DAVIS COUNTY,

May 31, A. D. 1877.

RESOURCES.

Amount in Treasury		$4021 23
Due from	A. Stayner on Tax account	400 81
"	A. Stayner	8 89
"	Joseph Egbert	17 18
"	John W. Hess & Co	130 00
"	James Crossley	10 00
"	Jesse W. Fox	13 45
"	Charles W. Stayner	7 84
"	R. Hyde	2 76
"	J. Parish	2 00
"	Wm. Reeves (Assessor and Coll.)	3088 62
"	H. D. Haight (Sheriff)	44 15
"	Wm. S. Lewis, Justice of the Peace	2 00
"	Suspense account	804 90
		$8553 83

LIABILITIES.

Due to	Orders, accounts outstanding	$ 137 93
"	Contingent Expense account	131 61
"	John Ellison	3 00
"	William V. Haight, Coroner	13 00
"	Schools account	398 50
"	William Brown	16 00
"	Sales of Stock, account	4 05
"	Jacob Miller	8 00
"	William R. Smith	16 00
"	South Precinct Pound	02

Due to Farmington Pound	.....	$ 6 78
" Hooper "	.....	5 14
" Centreville "	.....	12 00
" South Weber "	.....	6 00
" Kaysville "	.....	6 00
" Board of Examination	.....	4 00
" Surveying account	.....	46 00
" Contingent Fund (Criminal)	.....	44 15
" Joseph Barton	.....	91 50
" Contingent Fund (Roads)	.....	151 40
" Election account	.....	40 59
" Balance, in favor of County	.....	7412 19
		$8553 83

Receipts and Appropriations from May 31, 1875, to May 31, 1876.

RECEIPTS.

From Taxes	$3958 94	
" Fines	34 50	
" Licenses	115 00	
" Poundage	78 88	
		$4187 32

APPROPRIATIONS.

To Court and Clerks, Expenses acc.	$ 556 00
" Sundry Expenses account, (Stationery, Postage, Fuel, repairing Court House, etc	440 40
" Elections account	65 25
" Allan M. Findlay, to bal. account	5 00
" School Dist. No. 5, " "	2 00

To John W. Hess, to bal. account	2 00	
" Chester Call, Supt. Com. Schools	22 85	
" For Rent of Pounds	78 00	
" Jurors' account	181 00	
" Indigent Persons.....	334 15	
" Criminal Expenses account.....	328 70	
" Roads and Surveying account	1286 90	
" Jacob Miller, Supt. Com. Schools	40 00	
" Inquest account.....	15 80	
" Territorial Normal School.....	96 00	
" School District No. 16.....	50 00	
		$3504 05

Total Receipts.....	$4187 32
" Appropriations	3504 05
Balance, in favor of County	$ 683 27

Receipts and Appropriations, from May 31, 1876, to May 31, 1877.

RECEIPTS.

From Poundage.....	$ 138 65	
" Sales of Stock (Estrays) ..	670 13	
" Fines	132 15	
" Licenses	90 00	
" Tax	6945 52	
" Suspense acc. (Old Tax acc.)	150 00	
" Board of Examination	5 00	
" Weber County, on account of Weber Bridge.....	500 00	
		$8631 45

APPROPRIATIONS.

To Expenses account, (Improvements on Court House Lot, purchase Safe, Stationery, Fuel, Postage, etc.)	$1021 41	
" Jurors	319 40	
" Criminal Expenses	481 80	
" Building Weber Bridge	1985 14	
" Roads, Bridges, Surveying, etc.	2197 42	
" Court Expenses and Clerk's Salaries (one and one-half years)	1104 50	
" Indigent and lusane account	553 85	
" Z. Snow, Attorney	50 00	
" Board of Examination	10 00	
" Elections account	131 34	
" C. Call, Supt. Common Schools	90 25	
" Rent of Pounds	87 00	
" Refunded on Estrays	157 75	
" Schools' acc. on orders of Supt.	149 28	
" Wm. Reeves, for coll. Susp. acc.	37 50	
		$8376 64
Leaving Amount in favor of County		$ 254 81

I hereby certify that the above and foregoing is a true and correct account.

JOSEPH BARTON,
County Clerk.

FINANCIAL REPORT OF IRON COUNTY,

For the Year ending June 5, 1876.

RECEIPTS.

By County Tax for 1875	$3216 72
" Fines collected in Justice's Court	5 00
" Balance from Report for 1875	1808 22
	$5029 94

EXPENDITURES.

To 13 per cent. of tax to Collector	$ 418 17	
" Remittances	42 93	
" Expenses of County Court	106 50	
" " Criminal Prosecutions	226 35	
" County Clerk	159 36	
" Election Expenses	53 50	
" Stationery	8 50	
" Roads	278 30	
" Court House	2625 73	
" Relief of Sundry Persons	49 92	
" Expenses on Pounds and Losses on Poundkeepers' accounts	773 51	
" Insane Girl	50 00	
" Land Chart	11 20	
" County Treasurer	22 00	
" School Account	76 00	
" Balance in favor of the County	127 97	
	$5029 94	$5029 94

JESSE N. SMITH,
County Clerk.

For the Year ending June 4, 1877.

RECEIPTS.

By County Tax for 1876.....	$3323 52
" Fines collected in Justices' Courts	10 00
" Balance from Report for 1876...	127 97
	$3461 49

EXPENDITURES.

To 11 per cent. of Tax to Collector.	$ 365 58	
" Remittances.....	71 19	
" Expenses of County Court.....	85 00	
" " for Criminal Prosecutions	164 00	
" County Clerk.....	125 00	
" Election Expenses.....	176 00	
" Stationery, Books and Maps.....	68 00	
" Roads.....	375 08	
" Court House.....	128 25	
" Relief of Assessor and Collector	49 78	
" " " Sundry Officers.....	100 00	
" Insane Girl.....	100 00	
" County Treasurer.....	11 00	
" Coroner's Inquest.....	12 75	
" School Account.....	71 01	
" Balance in favor of the County..	1558 85	
	$3461 49	$3461 49

JESSE N. SMITH,
County Clerk.

FINANCIAL REPORT OF JUAB COUNTY,

For the Year ending May 31, 1876.

RECEIPTS.

On hand May 31, 1875.	$2790 82
County Taxes for "	3320 07
On License account	368 50
" Fines "	251 89
" Estray Pound account.....	33 70
Additional Assessment for 1875 ..	190 00
Amt. due from J.C. Witbeck, Poundage	11 50
" " " J. M Haws, "	6 50
" " Judgment against E. McCune	30 00
" " W. H. Peacock, lumber acct.	190 00
" " Samuel Pitchforth, "	15 00
	$7207 98

EXPENDITURES.

Paid on Court House.....	$1888 18	
" Estray Pounds	147 37	
" Criminal account.....	422 91	
" County Court account.....	74 00	
" Insane and Pauper account.....	417 03	
" Elections "	62 50	
County Clerk "	200 00	
Roads, etc., "	213 65	
" Assessor and Collector for 1875	332 20	
Taxes remitted.....	94 92	
" County Treasurer.....	120 91	
" To assist Normal School.....	32 00	
" Due Salt Lake City Asylum	1068 39	

Amount brought forward....	$5074 06	$7207 98
" Dr. Young on Gustin account	104 00	
" Relief of Joel Grover.....	50 00	
" " " J. G. Bigler.....	50 00	
" for Abstract Water Claims.....	75 00	
" Incidental accounts.....	120 00	
" Due S. Pitchforth, rock account	4 50	
" " Geo. Gardner, " "	19 93	
By Balance.....	1710 49	
	$7207 98	$7207 98

For the Year ending May 31, 1877.

RECEIPTS.

Amount on hand June 1, 1876....	$1710 49
" County Taxes for 1876.	3050 46
" received on Fines.....	102 70
" " Liquor Licenses	253 00
" " Butchers' "	15 00
" " Estray Pound fees	19 70
Bills payable to County.....	1924 28
	$7075 63

EXPENDITURES.

Salary of County Clerk.....	$ 173 00
County Judge and Selectmen..	336 00
Criminal Expenses.....	452 23
For Estray Pound, Nephi.....	5 25
Insane and Pauper account.....	379 50
Roads and Bridges.....	222 05
Printing, Office, Rent and Stationery	121 50
Premium on Bear Scalps.....	10 00
For Elections.....	58 00
County Taxes remitted.....	69 57

Amount brought forward	$1827 10	
Salary of Prosecuting Attorney	33 60	
Expenditures on Court House	2027 66	
For Compiled Laws of Utah Territory	51 50	
Bills Payable by County	1800 68	
By Credit to Balance account	1335 09	
		$7075 63
Balance in favor of County	$1335 09	
Less paid by Assessor and Collector	190 00	
Balance in favor of County	$1145 09	

I, Thomas Ord, Clerk of the County Court of Juab County, Utah Territory, hereby certify that the above and foregoing are true and perfect copies of the original Reports, as appear on record in my office.

THOMAS ORD,
Clerk.

January 21, A. D. 1878.

FINANCIAL REPORT OF KANE COUNTY

For the Year ending June 1, 1876.

RECEIPTS.

On Fines	$ 256 50	
" Estray Pounds	1 50	
" Taxes	1190 60	
		$1448 60

DISBURSED.

On Building Lock-up	$ 258 64	
" Repairing Roads	1012 26	
" Incidental Expenses	177 70	
		$1448 60

Due to the County from Sundries	$2357 39	
" Sundries on Appropriations	1802 08	
		$555 31
County Scrip in Circulation . . .		203 31
Balance in favor of County		$352 00

For the Year ending June 1, 1877.

RECEIPTS.

On Fines	$ 29 75	
" Estray Pounds	9 00	
" Taxes	2237 75	
		$2276 50

DISBURSED.

On Roads	$1736 05	
" Incidental Expenses	540 45	
		$2276 50
Due to the County from Sundries	$2925 79	
" Sundries on Appropriations	1336 23	
		$1589 56
County Scrip in Circulation . . .		586 03
Balance in favor of County		$1003 53

MARTIN SLACK,
County Clerk.

FINANCIAL REPORT OF MORGAN COUNTY,

For the Year A. D. 1876.

By Balance on hand 1875	$2162 34½
" Taxes	2969 76
" Registration fees of Estrays	1 50
" Licenses	10 00
	$5143 60½

To Treasurer for Service		$ 50 00
" County Clerk's Salary		200 00
" Auditing County Books		10 00
" Quarantine Expense		18 00
" Ex-County Clerk, T.R.G.Welch		178 83
" Erection of Court House		500 00
" Superintendent of Dist. Schools		84 75
" General Election Expense		75 40
" Members of County Court attending Court		153 70
" Probate Court Expense		24 00
" Rent of Court Room		19 00
" Postage and Stationery		10 00
" Deed and Exp. of County Lot		7 70
" Remittance of delinquent Taxes		67 27
" " " Taxes for 1876		128 20
" Fuel for Clerk's Office		15 00
" Roads and Bridges		2980 78
" Criminal Account		299 25
" Estray Pound Expense		29 00
" Insane Account		165 11
" Educational Examining Board		15 00
To Balance on hand		112 61½
Totals	$5143 60½	$5143 60½

For the Year A. D. 1877.

By Balance on hand 1876	$ 112 61½	
" Taxes.....	2959 00	
" Registration Fees of Estrays	11 00	
" Fees from Educational Examining Board	3 00	
	$3085 61½	
To Remittance of Taxes		$ 35 84
" Roads and Bridges		1186 47½
" Insane Account		187 00
" Erection of Court House		1000 00
" County Clerk's Salary		200 00
" Treasurer for Services		50 00
" Fourth of July Celebration ..		75 00
" Prosecuting Attorney		150 00
" Sheriff, for Extra Services ..		56 00
" Members of County Court, for Attendance at Court		127 30
" Probate Court Expenses ...		30 00
" General Election Expense.		38 75
" Stationery and Postage ..		15 00
" 140 Bond Forms for County Officers		7 50
" 9 Copies of Compiled Laws of Utah Territory		27 30
" Poor Account		10 00
" Representative to Legislature for 1876.....		128 50

" Estray Pounds.....		8 00
" Educational Examining Board		19 00
	$3085 61½	$3351 66½
To Amount to Balance.....		$266 05

This certifies that the above and foregoing is a true and correct Financial Report of Morgan County, for the years 1876 and 1877.

S. FRANCIS,
County Clerk.

FINANCIAL REPORT OF MILLARD COUNTY,

For the Year ending June 1, 1876.

TAX ACCOUNT.

To Amount due June 1, 1875.....	$3849 52	
" Assessment for 1875.....	2077 00	
	$5926 52	
By Assessor and Collector's Compensation.....		$ 249 24
" Amount paid County Treasurer, by J. S. Giles.....		1904 73
" Amount paid County Treasurer, by J. Kelly.....		31 18
Balance due June 1, 1876.....	3741 37	
	$2185 15	$2185 15

FINES ACCOUNT.

To Amount due June 1, 1875.....	$365 64	
" " Assessed in Justice's Court	25 00	
		$384 64
To paid to Treasurer by Hakes, J. P.		73 75
Balance due June 1, 1876.....		$311 89

ESTRAY POUND ACCOUNT.

To Amount due June 1, 1876.....		$30 40

COUNTY COURT ACCOUNT.

To Amount of Scrip issued.....		$1406 27
By Amount paid out on Court House	$528 82	
" " " County Judge.....	9 00	
" " " " Clerk	122 00	
" " " Jurors in District and Justice's Courts	228 40	
" " " in Criminal Cases in Justice's Courts	20 75	
" " " Roads and Bridges	72 50	
" " " Election Expenses .	33 00	
" " " Sheriff and Constable	23 40	
" " " Selectmen.....	62 00	
" " " Support of Insane .	137 00	
" " " Witnesses.....	8 40	
" " " County Treasurer...	40 00	
" " " Statutes for County Officers.....	120 00	
	$1406 27	$1406 27

EXHIBIT OF THE TREASURY.

To Amount on hand June 1, 1875..	$1127 89
" " received from J. S. Gyles	1904 73
" " " " J. Kelly..	31 18
" " " " Est. Pound	20 00
" " " on Legislative Appropriation for School teachers	299 73
" " " " Fines Account	73 75
" " " " Dividend on Stock, Co-op..	408 40
	$3865 68

By County Scrip Redeemed.....		$1830 13
" paid Superintendent Dist. Schools		42 00
" " School Trustees on Leg. Ap.		250 50
" 25 per cent. discount on Stock, (Co-op.).....		278 36
Balance in Treasury.....		1464 69
	$3865 68	$3865 68
Total in favor of County.....		$5548 35

I hereby certify that the foregoing is a correct copy of the Financial Report of Millard County, for the year ending June 1, 1876.

NEPHI PRATT,
County Clerk.

For the Year ending June 1, 1877.

TAX ACCOUNT.

To Amount due from J. S. Gyles for 1873	$ 233 15	
" " " " " 1874	1818 38	
" " " " " 1875	1473 73	
" " " J. Kelly for 1870	216 11	
" Assessment for 1876.....	2444 58	
	$6185 95	
By Assessor and Collector's Compensation.....		$ 293 34
" Remitted for J. S. Gyles.....		78 40
" " " John Kelly.....		71 94
" Paid Co. Treasurer by J. S. Gyles		1632 92
" " " " J. Kelly		15 90
Balance due June 1, 1877.....		4093 45
	$6185 95	$6185 95

FINES ACCOUNT.

To Balance due June 1, 1876.....		$311 89
By Amount paid Justice of Scipio....	$ 5 00	
" " " " Robison..	30 00	$ 35 00
		$276 89

COUNTY COURT ACCOUNT.

To Amount of Scrip issued.....		$1603 08
By Amount paid on Court House....	$ 834 38	
" " " County Judge.. ...	24 00	
" " " " Clerk.... .	153 50	
" " " Jurors in Justices' Court.....	71 40	
" " " Justices in Criminal Cases.....	30 55	
" " " Selectmen.....	106 50	
" " " Sheriff and Constables.....	96 20	
" " " Witnesses.....	25 40	
" " " Election Expenses	95 75	
" " " Roads and Bridges	106 00	
" " " on Incidental acc..	59 40	
	$1603 08	$1603 08

EXHIBIT OF THE TREASURY.

To Amount on hand June 1, 1876...	$1464 69
" " received from J. S. Gyles, Assessor and Coll...	1632 92
" " received from J. Kelly, Assessor and Coll...	15 90
" " received on Fines acc...	35 00
	$3148 51

Amount brought forward....		$3148 51
By County Scrip redeemed.....	$1597 42	
" paid Superintendent of Common Schools, Estrays sold.....	30 00	
Balance in Treasury June 1, 1877. .	1521 09	
	$3148 51	$3148 51
Total in favor of County		$5891 43

I hereby certify that the foregoing is a correct copy of the Financial Report of Millard County, for the year ending June 1, 1877.

NEPHI PRATT,
County Clerk.

FINANCIAL REPORT OF RICH COUNTY,

For the Year A. D. 1876.

RECEIPTS.

By Amount of County Tax.....	$1168 86

EXPENDITURES.

To County Officers, Probate Judge	$ 62 20	
" Probate Judge, trip to Salt Lake	20 00	
" Selectman John Cox.....	57 80	
" " R. H. Stewart.....	46 00	
" " Ira Nebeker.....	61 00	
" Superintendent of Common Schools, W. P. Nebeker. .	53 20	
" County Treasurer.....	24 00	
" " Clerk.....	131 80	
	$456 00	$1168 86

Amount brought forward....	$ 456 00	$1168 86
To Sheriff in Johnson case.....	322 15	
" Assessor and Collector.....	175 32	
" Election Expense.....	73 65	
" County Road	141 74	
	$1168 86	$1168 86

For the Year A. D. 1877.

RECEIPTS.

By County Tax.....	$1240 58
Less Amount uncollected	171 92
Amount collected.....	$1068 66

EXPENDITURES.

To Probate Judge.....	$ 49 20	
" Selectman Jno. Cox.....	43 80	
" " R. H. Stewart.....	37 00	
" " Ira Nebeker.....	48 00	
" County Clerk.....	135 00	
" Assessor and Collector.....	190 05	
" Prosecuting Attorney.....	42 00	
" County Treasurer.....	24 00	
" Election Expense...	73 65	
" taking care of Insane.....	70 00	
" Amount paid to Sheriff.....	92 31	
" " " for Court House....	75 00	
" " " on County Road....	188 65	
	$1068 66	$1068 66

Amount of Indebtedness Jan 1, 1878. $495 30

Amount brought forward....	$495 30
Less amt. from Assessor and Collector	171 92
	$323 28

I, Wm. Rex, County Clerk in and for Rich County, certify that the above is a correct account of the Financial condition of Rich County, Jan. 1, 1878.

WILLIAM REX,
County Clerk.

FINANCIAL REPORT OF SALT LAKE COUNTY,

For the Fiscal Year ending May 31, 1876.

RECEIPTS.

From County Taxes.....	$65206 76
" Licenses.....	2721 00
" Rent.....	520 00
" Fines.....	109 00
Total.....	$68556 76

For the Fiscal Year ending May 31, 1877.

RECEIPTS.

From County Taxes.....	$62188 45
" Licenses.....	1760 00
" Rent.....	60 00
" Fines.....	152 30
Total.....	$64160 75

For the Fiscal Year ending May 31, 1876.

EXPENDITURES.

Making and Improving Roads.....	$ 6950 63
Building and Repairing Bridges.....	7076 96
Excavating and Repairing Canals and Ditches.....	16405 99
Holding General Election.....	231 00
Holding Inquests.....	254 25
Fees in Criminal Pros, Justices' Court	261 40
Support of Paupers and Insane.....	4187 59
Board and care of Prisoners.....	3443 53
Compensation of County Officers and Employes.....	11964 95
Stationery, Bookbind'g, Publish'g, etc	648 95
Interest on Bills Payable.....	15722 52
Sundry Expenses as repairs on Court House, Fuel, Light, etc., etc....	769 99
For Right of Way U. S. R. R.....	3424 45
Normal School.....	336 00
Total.....	$71678 21

DEBTS PAYABLE TO THE COUNTY.

Delinquent County Taxes.....	$72409 09

DEBTS PAYABLE BY THE COUNTY.

Bills payable.....	$55858 19

ASSETS.

County Buildings.....	$35000 00
Furniture and Fixtures.....	3000 00
County Orders on deposit to redeem Bills payable.....	55858 19
	$93858 19

For the Fiscal Year ending May 31, 1877.

EXPENDITURES.

Making and Improving Roads.....	$ 7445 32
Building and repairing Bridges ...	5997 52
Excavating and repairing Canals and Ditches	13369 66
Holding General Elections,.....	461 00
Holding Inquests.....	124 35
Fees Criminal Pros., Justice Court ..	242 18
Support of Paupers and Insane. ..	4896 55
Board and care of Prisoners.....	2199 57
Compensation of County Officers and Employes.....	15068 00
Stationery, Bookbind'g, Publish'g, etc.	1462 31
Services Rep. of Salt Lake County to Legislature, etc.....	1688 35
Interest on Bills payable.....	9761 05
Sundry Exp. as repairs on Court House, Fuel, Lights, etc., etc..	1342 74
Exploring Great Salt Lake.....	74 79
Furniture.....	32 00
Normal School.....	112 00
Total.....	$64277 39

DEBTS PAYABLE TO THE COUNTY.

Delinquent Taxes in the hands of the Assignee	$43830 56
Delinquent Taxes for 1876	17807 23
Total	$61637 79

DEBTS PAYABLE BY THE COUNTY.

Bills payable	$56506 06

ASSETS.

County Buildings	$35000 00
Furniture and Fixtures	3000 00
County Orders on deposit to redeem Bills payable	56506 06
	$94506 06

D. BOCKHOLT,
County Clerk.

FINANCIAL REPORT OF SANPETE COUNTY,

For the Years 1876 and 1877.

RECEIPTS.

Amount in Treasury Jan. 1, 1876	$ 549 95	
" arising on Taxes for 1876–77	7782 56	
" " Licenses " "	118 00	
" " Poundage " "	91 85	
" " Fines " "	77 00	
" " Scraper sold	17 00	$8636 36

DISBURSEMENTS.

Road and Bridges	$3090 37	
County Officers	1589 05	
Criminal Prosecution	209 50	
Lunatics	400 00	
Elections	291 25	
Public Improvements	866 30	
County Office	674 85	
Safe for County Office	425 00	
Surveying Roads	110 40	
District Court Expenses	67 00	
Coroner's Fees	10 00	
Normal School	128 00	
Statute Laws of Utah	100 00	
Law Books	55 10	
Loss on Wheat	12 00	
Loss on Gold	4 50	$8033 32

County Orders in circulation Jan. 1, 1876	$ 236 73	
" " issued during 1876 and 1877	8033 32	$8270 05

Amount brought forward....		$8270 05
County Orders redeemed at Treasury	$7927 17	
" " in circulation.....	342 88	
	$8270 05	$8270 05

COUNTY TREASURER'S REPORT.

Amount in Treasury Jan. 1, 1876...	$ 549 95	
" arising on Taxes for 1876-77	7782 56	
" " " Licenses " "	118 00	
" " " Poundage " "	91 85	
" " " Fines " "	77 00	
" " " Scraper sold	17 00	$8636 36
By County Orders redeemed.....	$7927 17	
To Balance in Treasury.....	709 19	
	$8636 36	$8636 36

SCHOOL FUND.

Amount arising on Sale of Estrays		$331 41
" paid to Supt. for service in in 1875, 1876 and 1877	$187 45	
" paid to Treasurer of Sanpete Co. for service as Treasurer of "School Fund" since 1868.	40 00	
" paid for Stationery and Postage since 1863.....	30 00	
" refunded to parties. whose animals had been sold...	15 25	
To Balance in Treasury.....	58 71	
	$331 41	$331 41

ASSESSOR AND COLLECTOR'S REPORT.

To Balance due Jan. 1, 1876.....	$1046 87	
" Extra Assessment of 1875 ...	11 20	
" Assessment of 1876..	4912 50	
" " " 1877.....	5130 57	
	$11101 14	
By Amount paid into the Treasury..		$ 7782 56
" per centage on amount collected.		857 18
" arrears on per centage for '73-4 5		319 27
" Taxes remitted		17 06
Due to Balance.....		2125 07
	$11101 14	$11101 14

ASSETS.

County Buildings and Improvements	$17500 00

Very respectfully,

WILLIAM Y. REID.

County Clerk.

FINANCIAL REPORT OF SEVIER COUNTY.

For the Year ending June 1, 1876.

RECEIPTS.

May 31, 1876	
To Amount of Indebtedness as per Report of 1875	$ 449 58
" Compensation to Ass. and Coll.	227 40
" Taxes remitted	14 80
" Current Expenses of Court	264 90
" Roads and Bridges account	246 72
" Expenses of General Election	36 00
" " " Special Election	28 00
" Cost of Sevier Bridge at Monroe	500 00
" Expense account	119 90
" Jurors' Bills, account presented from First District Court	112 82
" Relief to Paupers and Lunatics	21 00
	$2021 12

EXPENDITURES.

May 31, 1876.	
By Amount of Revenue	$1516 00
" Fines reported by Justices	67 50
" Amount of Delinquent Tax collected, due 1872	22 21
" Proceeds from Estray Pounds	32 05
" Amount of Fines formerly assessed	180 00
" Bills receivable	15 26
" Balance	188 00
	$2021 12

For the Year ending June 1, 1877.

DR.

May 31, 1877.	
By Compensation to Ass. and Coll.	$ 332 80
" Abatements and remit. of Taxes	83 13
" Court Expenses, including Clerk's Salary	321 10
" Expenditure, Roads and Bridges	245 86
" Compensation to Treasurer	40 00
" Juror's Fees, on Bills from District Court (Dec. 7, 1875)	96 68
" Expense of Elections, Aug. $45.00 and Nov. 40.50	85 50
" Expense account	44 59
" Pauper and Lunatic's account, Hughes, $25, and Brown $25	50 00
" County Building	800 00
" Furniture for the same, Stove $18 Chairs and Tables $62.60	80 60
" Balance	201 75
	$2382 01

CR.

May 31, 1877.		
To Amount of Revenue	$2218 76	
" Proceeds from Estray Pounds, Richfield $16.10, Grass Valley $5.60, Prattville $2.55	24 25	
" Fines reported, Richfield J. P. $33 Central $5, Glenwood $70, and Monroe $31	139 00	
		$2382 01

To Lumber left of Monroe and Cove Bridge..... 27 70

Most respectfully submitted by

Yours truly,

WM. MORRISON,

County Clerk.

FINANCIAL REPORT OF SUMMIT COUNTY,

From Dec. 1, 1875, *to Dec.* 1, 1877.

RECEIPTS.

	1876.	1877.
Cash in Treasury.....	$ 227 99	$ 169 75
Received by Taxes.....	6063 00	4702 60
" " Licenses.....	762 89	800 55
" " Estray Pounds.....	87 95	63 10
" " Rent of Court House..	10 00	50 00
" " Fines.....		25 00
	$7151 83	$5811 00

Dec. 1, 1877.	Cash in Treasury	$ 49 10
" "	Due the County by Taxes	8972 60
		$9021 70

EXPENDITURES.

	1876.	1877.
Paid to Roads and Bridges.....	$2530 86	$1608 11
" " Co. Court House, Building..	2965 58	205 25
" " Attending Small-pox.....	49 30	859 65
" " Criminal Costs in County...	298 96	1138 47
" " Jurors and Witnesses in Third District Court.....		404 40
" " Keeping of an Insane Man..	78 30	
" " " " " Woman	46 72	138 60
" " " " Old Blind "		40 00
" " County Clerk.....	300 00	300 00
" " " Treasurer.....	100 00	107 00
" " " Superintendent of Common Schools.	66 10	128 10
" " " Judge and Selectmen	272 51	105 95
" " " Estray Pounds.....	61 70	
" " Judges and Clerks of Elections	49 55	84 15
" " Attending Legislature.....	26 50	114 40
" " Common Schools in County		99 05
" " Damage done Farm by Road		14 40
" " Stationery.....		19 17
" " Fencing County Farm.....		248 50
" " " Public Park.....		126 20
" " County Surveyor.....	104 00	20 50
" " Normal School, S. L. City..	32 00	
Balance.....	169 75	49 10
	$7151 83	$5811 00

Dec. 1, 1877. County Orders issued and not redeemed	$3785 10
" " Debts due by County	4161 11
Balance in favor of County, after all County Orders are redeemed, and all debts paid off.....	1075 49
	$9021 70

ROBERT SALMON,
Clerk of County Court.

Coalville, Dec. 1, 1877.

FINANCIAL REPORT OF TOOELE COUNTY,

From June 1, 1873, to Dec. 31, 1875.

ASSETS AND RECEIPTS.

By Amount in favor of County, as per last Report of June 1, 1873	$4480 11
" Assessment for the year 1874...	6645 68
" " " " " 1875...	7915 45
" License received in 1874.....	3450 14
" " " " 1875	2057 17
" Fines from Justices' Courts.....	263 00
" Proceeds from Estrays.....	269 65
" Amount received of Territorial School Fund.....	848 25
" Rent of Court House.....	10 00
	$25939 45

DISBURSEMENTS.

To Collector's percentage on License and Taxes.....	$1497 51
" Taxes remitted.....	304 00
" Criminal Expenses.....	1922 66
" Amount paid Supt. of Schools....	95 00
" " " for Medical Attendance and care of Paupers.	3418 56
" " " on account Small-pox	484 53
" " " "Roads and Bridges	871 22
" " " for Witness and Jurors' Fees.....	2661 90
" " " on acct. of Elections	465 41
" " " for Inquests.....	33 70

Amount brought forward..	$11754 49	$25939 45
To Amount paid for Books, Stationery, Wood and Lights.	139 80	
" Amount paid for Iron Cage for County Jail.....	349 00	
" Amt paid Prosecuting Attorney	422 00	
" Amount paid County Judge, Selectman, Treasurer and Sheriff, regular Fees.....	3942 75	
" Amount paid for extra services of Judge, Selectman, Clerk, Sheriff, Treasurer and Coroner.....	2515 50	
Amount to Balance.....	6815 91	
	$25939 45	$25939 45
Amount in favor of County.....		$6815 91

Respectfully,
E. F. MARTIN,
County Clerk.

From Dec. 31, 1875, to Dec. 31, 1877.

ASSETS AND RECEIPTS.

By Amount in favor of County, as per last (amended) Report of Dec. 31,'75	$ 6815 91
" " of Assessment, for years 1876 and 1877.....	15806 83
" " " License collected for years 1876 and 1877.	2471 13
" " " Fines from Justices' Courts.....	230 00

Amount brought forward..	$25323 87
By Amount of Territorial School Appropriation 1876.....	505 00
" " from Estray Pounds...	75 00
Total.....	$25903 87

DISBURSEMENTS.

To Amount paid for Board and Care of Paupers, and Medical Attendance.....	$ 5577 85	
" Amount paid Prosecuting Attorney, and other legal fees	2479 00	
" Amount paid on Roads and Bridges.....	2031 89	
" Amount paid for Improvements on County Court House....	3584 53	
" Amount paid for Court Fees, Mileage and services by Members of County Court...	3025 00	
" Amount of Taxes remitted....	627 37	
" " " Percentage on Taxes and License.....	2647 38	
" " paid for Election services	432 00	
" " of Fees paid to Justices, Constables and Sheriff.....	2023 90	
" " paid Tooele Co-operative Store for goods furnished up to July 31, 1874 (to Paupers)	1679 73	
" " paid for Wood, Lights and Stationery....	400 59	
" " paid for Schools.....	505 00	
" " to Balance.....	663 09	
	$25903 87	$25903 87

(MEM.)

Taxes Delinquent, due to Tooele County up to December 31, 1877:

Years.	Amount.
1873,	$ 925 65
1874,	1426 36
1875,	630 00
1876,	811 23
1877,	1796 58
Total.....	$5589 82
Amount in favor of County,	$663 09
County behind,	$4926 73

I hereby certify the foregoing Report to be true and correct, and as accepted and approved by the County Court, at their meeting held January 31, 1878.

E. F. MARTIN,
County Clerk.

FINANCIAL REPORT OF UTAH COUNTY,

From May 18, 1875, to May 15, 1876.

RECEIPTS.

From Taxes, as per Assessment Roll June, 1875		$16146 00
Less Remittances	$1648 35	
" Assessor and Collector's Compensation	1304 78	
" Amount paid into the Treasury April 5, 1875	45 00	
" Amount uncollected	3866 87	6865 00
Actual Receipts from Taxes of 1875		$ 9281 00
From Delinquent Taxes of 1870		100 00
" Rent of Court House, Sale of Auditor's Warrants		546 30
" Fines in Justices' Courts		112 00
" Licenses		240 20
" Estray Pound Fees		227 00
" Rent of Court House, Auditor's Warrants		460 00
" Bills receivable, Note on Provo Manufacturing Company		1000 00
" Interest on Note on Provo Manufacturing Company		58 33
Total Receipts		$12024 83
Balance in Treasury May 18, 1875(*)		2889 36
Total		$14914 19

(*) By auditation the above amount was found to be the correct balance in the Treasury May 18, 1875.

EXPENDITURES.

For Roads and Bridges.....	$ 4191 00
" Court House, furnishing,s etc.	405 90
" Sundry Expenses, including Compensation of Officers, (exclusive of the Assessor and Collector) furnishings for the Surveyor and Recorder's Offices, 50 copies Compiled Laws of Utah, Fuel, Stationery, etc.....	3694 22
" Insane and Pauper Persons. . .	1169 20
" Criminal Prosecutions.....	1117 16
" Elections.....	117 00
" Collecting Licenses.....	9 00
" Schools	292 60
" Estray Pounds.....	18 75
" Loans, to Provo Man. Comp..	3000 00
" Sundry Liabilities of May 18, '75	112 60
" Add Auditor's Warrants, on hand.....	460 00
Total Disbursements.....	$14587 43
Less County Orders in circulation May 15, 1876.....	262 00
Total actual Disbursements...	$14325 43
Balance in Treasury May 15, 1876	588 76
Total.....	$14914 19
Resources of Utah County.....	$3041 90
Liabilities " "	216 46

Terrritory of Utah, }
Utah County, } ss.

I hereby certify that the foregoing is a correct statement of the Receipts and Expenditures of Utah County from May 18, 1875, to May 15, 1876, together with the Resources and Liabilities of said County on May 15, 1876.

WILSON H. DUSENBERY,
Clerk of Utah County.

From May 15, 1876, to May 21, 1877.

RECEIPTS.

From Taxes, as per Assessment Roll June 7, 1876.....		$15519 90
Less remittances.....	$1353 00	
Less Assessor and Collector's Compensation.....	1275 00	
Less amount uncollected....	2939 15	5567 15
Actual Receipts from Taxes of 1876		$9952 75
From Delinquent Taxes of 1875...		3745 00
" Bills receivable, Note on Provo Manufacturing Comp.		2000 00
" Interest on Note on Provo Manufacturing Company...		120 00
" Sale of Auditor's Warrants, Rent of Court House 1875		331 00
" Sale of Auditor's Warrants, Rent of Court House 1876		460 00
" Licenses.....		228 70
" Fines in Justices' Courts. ...		250 45
" Estray Pound Fees.....		95 20
Total Receipts.....		$17183 10
Balance in Treasury May 15, 1876		588 76
Total.....		$17771 86

EXPENDITURES.

For Roads and Bridges.....	$4242 25
" Insane and Pauper Persons....	1337 50
" Criminal Prosecutions.....	1242 90
" Expenses of County Court, allowance to Officers, etc.....	1111 60
" Loan to Committee on Compilation of Laws of Utah.....	1500 00
" Improvements, etc., of Court House.....	670 00
" Improvements of County Jail....	152 95
" Elections.....	335 50
" Estray Pound.....	137 00
" Schools: Normal Class, Compensation of County Supt., etc.	630 15
" Recorder and Surveyor's Offices	264 35
" Holding Inquests.....	88 20
" Salaries of Probate Judge and County Clerk.....	975 00
" Contingent Fund.....	950 00
" Sundry Liabilities of May 15, 1876	140 25
" Insane and Pauper account, appropriation of March, 1876...	100 00
" Redemption of County Orders in circulation May 15, 1876.....	262 00
Total Disbursements.....	$14139 65
Less County Orders in circulation May 21, 1877.....	12 00
Total Actual Disbursements ..	$14127 65
Balance in Treasury May 21, 1877..	3644 21
Total.....	$17771 86

Resources of Utah County.....	$5386 90
Liabilities " "	126 85

Territory of Utah, }
Utah County, } ss.

I hereby certify that the above, and foregoing, is a correct statement of the Receipts and Expenditures of Utah County, from May 15, 1876, to, and including, May 21, 1877, together with the Resources and Liabilities of said County on May 21, 1877.

WILSON H. DUSENBERRY,
County Clerk Utah County.

FINANCIAL REPORT OF WASATCH COUNTY

From Jan. 1, 1876, *to Dec.* 31, 1876.

RECEIPTS.

By Balance in favor of County January 1, 1876.....	$1738 35
" Amount of County Tax assessed for the year 1876.....	1102 11
" Amount of Fines collected by Justices of the Peace.....	42 00
" Amount received on account of impounded cattle.....	10 25
	$2892 71

EXPENDITURES.

To Amount paid for Stationery, Books, Blanks, etc	$ 20 65
" Amount paid for Fuel	50
" " " " care of Insane Persons	238 20
" Amount paid County Clerk	90 00
" " " Members of County Court	57 50
" Amount paid County Road Commissioner	21 00
" Amount paid for making and repairing Roads	179 83
" Amount paid County Treasurer, Percentage on Receipts	22 75
" Amt. paid for Election Expenses.	57 00
" " " " repairing Estray Pounds	3 00
" Amount paid Prosecuting Attorney, M. J. Shelton	2 50
	$692 93
Balance in favor of the County	2199 78
	$2892 71

CHAS. SHELTON,
County Clerk.

From Jan. 1, 1877, *to Dec.* 31, 1877.

RECEIPTS.

By Balance in favor of County, Jan. 1, 1877	$2199 78
" Amount of Tax assessed for the year 1877	1171 68
" Fines collected by Justices of the Peace	50 00
" Amount paid for Liquor License	74 00
" " received on Sale of Provo Canyon Road Tickets	25 00
" " received on License of Meat Market	5 00
	$3525 46

EXPENDITURES.

To repairing Estray Pound	$	4 00
" Amount paid for the care of Insane Persons		579 45
" Amount paid T. H. Giles, preparing Agricultural Statistics		10 00
" Amount paid for Court Room Furniture		21 50
" Amount paid T. H. Giles, Superintendent District Schools		20 00
" Amount paid to Members of County Court		108 00
" Amount paid for making and repairing Roads, etc		579 91
" Amount paid for Sheriff and Constable service		50 00
" Amount paid for Jury service, District Court		13 40

Amount brought forward..	$1386 26
To Percentage paid County Treasurer on Funds Disbursed.. .	60 60
" Amount of Co. Clerk's Salary..	90 00
" Amount paid for Stationery and Blank Book.....	6 25
" Amount of Taxes remitted.....	59 00
" " paid to County Road Commissioners ...	25 00
" " paid M. J. Shelton, preparing Map	15 00
" Loan granted to School Trustees	60 00
" Expenses of August Election...	29 75
Balance in favor of County.....	1793 60
	$3525 46

CHAS. SHELTON,
County Clerk.

FINANCIAL REPORT OF WASHINGTON COUNTY,

For the Years 1876 and 1877.

REVENUE.

By Balance 31st December, 1875...	$1337 20	
" Taxes 1876 and 1877.....	8783 29	
" Licenses.....	405 45	
" Fines....	485 88	
		$11011 82
To Appropriations.....		9803 10
		$ 1208 72

DISBURSEMENTS.

Paid Assessor and Collector 1876-77	$1072 59
Taxes remitted 1876 and 1877	629 79
Appropriated for Court House	1377 53
" " Virgin Bridge	2000 00
" " Roads	542 00
" " Elections.....	266 70
" " Judge and Select-men, (4 years)	461 40
" " County Clerk	745 52
" " Treasurer	150 00
" " Supt. Com. Schools	85 00
" " Co. Commissioner	24 00
" " Insane Persons.....	337 50
" " Inquests	46 35
" " Normal School.....	500 00
" " Crim. Pros., Silver Reef, 1877	929 40
" " Crim. Pros., other Precincts.....	115 05
" " Stationery, Books and Postage.....	84 55
" " Pros. Attorney....	101 50
" " Fuel, and Incidentals	334 22
	$9803 10

FINANCES.

Uncollected Taxes - - -	$ 995 66
Accounts due the County - - -	1423 11
Property on hand - - -	1995 78
Total Assets	$4414 55
Bills payable - - - -	3205 83
Balance	$1208 72

Respectfully Yours,

A. R. WHITEHEAD.

County Clerk.

FINANCIAL REPORT OF WEBER COUNTY,

For the Fiscal Year ending May 31, 1876,

RECEIPTS.

Cash in the Treasury June 1, 1875...	$ 255 69
Blankets " " "	100 00
Co-op. Scrip " " "	13 50
Due bill for Wheat " " 228 54-60 bu..	286 12
Wheat " " " at Tithing Office..	6 96
Bills receivable " " " Pickering Note	45 00
Utah Northern Vouchers " "	1223 60
Indebtedness of Israel Canfield "	143 02
Cash paid by Jos. A. West, Assessor and Collector, on Taxes	9735 29
" " by S. Bingham, Ex-Ass. and Collector, on Taxes	28 47
" " by Justice Middleton, on Fines.....	114 15
" " by Justice Farrell, on Fines	10 00
" " " Wilson, on Fines	25 00
" " " Alderman Thomson, on Fines	100 00
" " on Liquor Licenses ...	10 00
" Refunded from Estray Pound account...	142 23
" Borrowed from Dr. Wm. H. Groves....	1900 00
" Borrowed from Anna Cardon	500 00
" " " D. H. Peery..	400 00
County orders received from Assessor and Collector West, on Taxes	2153 55
County orders received from Ex-Ass. and Coll. Bingham, on Taxes...	138 02
Total Receipts.....	$17330 60

DISBURSEMENTS.

Cash paid out on County Orders		$10905 17
Blankets " " "		10 00
Co-op. Scrip " " "		13 50
Wheat " " "		6 96
Due Bill for 228 54-60 Bushel of Wheat cancelled by Order of Court.....		286 12
Bills receivable, Pickering Note, cancelled by order of Court		45 00
Indebtedness of I. Canfield, cancelled by Order of Court..		143 02
County Orders redeemed by Assessor and Coll. West		2153 55
County Orders redeemed by Assessor and Coll. Bingham		138 02
Cash paid to cancel Note held by Adams & Van Dyke..		560 00
Cash paid to cancel Interest on same		38 08
Cash paid to cancel Note held by Dr. Groves.....		500 00
Cash paid to cancel Interest on same..		85 00
Cash paid to cancel Interest on $2,000 Note held by Dr. Groves....		946 65
Utah Northern Vouchers in Treasury June 1, 1876....		1223 60
Blankets, 9 pairs, in Treasury June 1, 1876.....		90 00
Cash in Treasury June 1, 1876.		185 93
Totals....	$17330 60	$17330 60

COUNTY ORDERS ISSUED.

To Probate Judge, for services	$ 293	15
" Selectmen " "	535	33
" County Clerk " "	740	00
" Prosecuting Attorney "	700	00
" County Treasurer "	250	00
" County Architect "	150	00
" Sheriff "	441	80
" Judges of Election "	30	00
" Clerks of Election "	26	00
" Jurors in District Court....	202	40
For Cost of Criminal cases in Justices' Courts.....	315	55
" Cost of Coroner's Inquests	151	90
" District Estray Pound....	99	85
" Relief of Indigent Persons	96	25
" " " Sundry Persons on Taxes..	61	35
" " " Ex-Ass. and Coll. S. Bingham.	138	02
" Records, Stationery, Maps and Law Books.....	213	50
" Furniture, etc., for County Offices.....	189	55
" Relief of L. Farr on Utah Northern R. R. account	622	20
" Stock in the Ogden Publishing Company.....	329	14
" Printing and Advertising..	82	50
" Handcuffs and Leg Irons	25	50
" Coal for Offices.....	40	50
" Grading County Lot.....	150	75
" Work on and material for Court House.....	4829	47
" Clock and Bell.....	1876	56
" Repairing Roads, Bridges and Banks of Rivers...	1707	84
Total issued during Fiscal Year	$14299	11

Amount brought forward	$14299 11
In circulation June 1, 1875.....	53 80
Total in circulation during the Fiscal Year.....	$14352 91

RECAPITULATION.

County Orders redeemed at the Treasury.....	$10935 63
" " redeemed by Assrs. and Colls	2291 57
" " in circulation at this date..	1125 71
Total redeemed and in circulation.....	$14352 91

LIABILITIES.

Cash borrowed of Dr. Wm. H. Groves.....	$3900 00
" " " Anna Cardon	500 00
" " " D. H. Peery	400 00
Sundry Ledger Liabilities.....	557 85
County Orders unredeemed...	1125 71
Total Liabilities.....	$6483 56

LATE ASS. AND COLL. S. BINGHAM'S ACCOUNT.

To Balance due on his Note June 1, 1875.....	$166 49	
By App. made for his Relief		$138 02
" Cash paid into Treasury.....		28 47
	$166 49	$166 49

ASS. AND COLL. WEST'S ACCOUNT

To Assessment for the year 1875	$14369 83	
By Remittances.....		$ 67 39
" 5 per cent. on Remittances		3 36
" 10 " " Balance of Assessment		1430 24
" Treasurer's Receipts.....		11888 84
" Delinquencies authorized by County Court.....		980 00
	$14369 83	$14369 83

SCHOOL FUND ACCOUNT.

To Sale of Estrays since June, '72	$281 17	
By Cash refunded on claimed animals...		$ 15 50
" " " to Co. (error)		142 23
" " paid out on Orders from Superintendent of Schools		123 44
To Legislative Appropriation for School Teachers....	1324 00	
By Disbursements on Order from Co. Superintendents		1324 00
	$1605 17	$1605 17

F. S. RICHARDS,
Clerk County Court.

By C. C. RICHARDS,
Deputy Clerk

Ogden, June 1, 1876.

For the Fiscal Year ending May 31, 1877.

RECEIPTS.

Cash in the Treasury June 1, 1876	$ 185 93
Blankets " " "	90 00
Cash paid by Joseph A. West, Assessor and Coll., on taxes	10430 68
County Orders by Joseph A. West Ass. and Coll., on taxes	3916 88
Flour by Joseph A. West, Assess. and Collector, on taxes	40 00
Merchandise by Joseph A. West, Ass. and Coll., on taxes	33 95
Cash on Fines from Justice Grover	10 00
" " " " Soule	75 00
" " " " Petersen	5 00
" " " " Middleton	206 25
PromissoryNote" " "	35 50
Cash of P. G. Taylor on Parade Ground.....	25 00
" borrowed from D. H. Peery	2020 55
" " " Dr. Wm. H. Groves..	500 00
" " " L. J. Herrick	618 00
Utah Northern Railroad Vouchers	1223 60
Due Treasurer	113 46
Total Receipts.....	$19529 80

DISBURSEMENTS.

Cash paid out on County Orders	$11599 15
Blankets, " "	48 00
Loss on Blankets.....	12 00

Amount brought forward..	$19529 80	$11659 15
Cash paid to cancel Note held by Anna Cardon...		500 00
" " cancel Interest on same....		60 00
" " cancel Note held by Dr.W.H.Groves		700 00
" " cancel Interest on same		140 00
" " cancel Note held by Dr. W.H.Groves		500 00
" " cancel Interest on same		57 50
" " Interest on Groves' Notes for $1000 and $2000 for 1 year.....		540 00
" " Interest on Groves' Notes for $1000 and $2000 to Jan. 22, '77 (notes renewed).....		33 00
" " Interest on Groves' Note for $200.00 (renewed)		35 50
" " Interest on L.J.Herrick's Note for $618. (renewed)		24 72
County Orders redeemed by Assessor and Collector West		3916 88
Utah Northern R. R. Vouchers in Treasury June 1, 1877		1223 60
Bills receivable (Simon Wheeler's Note) in Treasury June 1, '77		35 50
Blankets, 3 pr., " " "		30 00
Merchandise " " "		33 95
Flour " " "		40 00
Total.....	$19529 80	$19529 80

COUNTY ORDERS ISSUED.

To Probate Judge, for services	$ 247	40
" Selectmen, " "	655	85
" County Clerk " "	700	00
" Prosecuting Att'y " "	700	00
" County Treasurer " "	250	00
" County Architect " "	125	00
" County Recorder for making Abstract of old Records	330	50
" Sheriff for services	304	20
" Supt. of Schools "	250	00
" Judges of Election "	60	00
" Clerks of " "	48	00
" Jurors in District Court for services	104	00
" pay cost of Criminal cases in Justices' Courts	365	00
" " " Coroner's Inquests	53	70
" " " keeping of Insane	322	18
" " for Records, Stationery, etc., for County Offices.	86	13
" " " Furniture, Carpets, etc. for County Offices.	121	12
" " " Coal and Wood for County Offices...	57	25
" " " Printing and Advertising	112	00
For Relief of Indigent Persons..	70	00
" " Assessor and Coll.	82	50
" " Lorin Farr, on U.-N. R. R. account	2207	48
" Flag, Flagstaff, etc., for Court House.....	48	40
" Fourth of July Celebration..	50	00
" Regulating and winding County Clock.....	79	00
" Interest on Moneys borrowed	54	88

Amount brought forward..	$7484 59
For Work on Court House and material for same.....	5956 97
" Repairing Roads, Bridges, and banks of Rivers.....	2082 55
Total issued during the fiscal year	$15524 11
In circulation June 1, 1876....	1125 71
Total in circulation during the fiscal year.....	$16649 82

RECAPITULATION.

County Orders redeemed at the Treasury....	$11647 15
" redeemed by Assessor and Col.	3916 88
" in circulation at this date.....	1085 79
Total redeemed and in circulation	$16649 82

LIABILITIES.

Cash borrowed of Dr. Wm. H. Groves.....	$3200 00
" " " L. J. Herrick.	642 72
" " " D. H. Peery	2657 28
Sundry Ledger Liabilities.....	209 20
County Orders unredeemed ..	1085 79
Total Liabilities.....	$7794 99

ASS. AND COLL. WEST'S ACCOUNT.

To Delinquent Taxes for 1875, authorized by the County Court	$ 980 00	
" Assessment for the year 1876	17137 62	
By Remittances		$2007 40
" Per cent. for Assessing and Collecting		1688 78
" Appropriation for Relief		82 50
Treasurer's Receipts		14338 94
	$18117 62	$18117 62

SCHOOL FUND ACCOUNT.

To Legislative Appropriation for School Teachers	$1313 00	
By Disbursements on Order of County Superintendent		$1258 00
" Cash in the Treasury		55 00
To School Taxes received from Railroad Companies	437 26	
By Disbursements on Order of County Superintendent		317 99
" Cash in the Treasury		119 27
To Cash received from the Sale of Lands in Plain City and Huntsville Townsites	155 30	
By Cash in the Treasury		155 30
	$1905 56	$1905 56

F. S. RICHARDS,
Clerk County Court.

By C. C. RICHARDS.
Deputy Clerk.

Ogden, June 1, 1877.